

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 20, 2015: recommends be adopted, referred to the floor is Floor Amendment #2 to House Bill 1051, Floor Amendment #2 to House Bill 1453, Floor Amendment #2 to House Bill 2474, Floor Amendment 1 to House Bill 2556, Floor Amendment #2 to House Bill 2916, Floor Amendment #1 to House Bill 3323, Floor Amendment #1 to House Bill 3464, Floor Amendment #1 to House Bill 3497, Floor Amendment #1 to House Bill 3512, Floor Amendment #1 to House Bill 4008."

Speaker Lang: "Good afternoon. The House will be in order. Members will be in their chairs. We'll be led in prayer today by Pastor Gary Goldacker, who's with St. Paul's Episcopal Church in Alton. Pastor Goldacker is the guest of Representative Beiser. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and Pledge of Allegiance. Pastor Goldacker."

Pastor Goldacker: "Thank you. Let us pray. Oh God, our Governor, whose will is good and gracious and whose law is truth. You have given us all things necessary for our well-being and placed in the hands of this Legislature the care of the people of this state. We ask You to grant its Members wisdom, patience, and courage to carry out their duties in enacting such laws as will be pleasing to You and that will meet the needs of all the people entrusted to their care. Fill them with the love of truth and righteousness and remind them of their calling as servants of the people of Illinois. Bless

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Bruce, our Governor, these Representatives and all the people of this state that we may be a people at peace among ourselves and accept our responsibilities to our fellow citizens. And finally we commend Your gracious care and keeping, all the men and women of our Armed Forces at home and abroad. And grant peace in all our world, Amen."

Speaker Lang: "Be led in the Pledge by Representative Frese."

Frese - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Lang: "Roll Call for Attendance. Leader Currie. Go to Mr. Brown. Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please let the record reflect that Hammond, McDermed, Morrison, and Stewart are on excused absence today."

Speaker Lang: "And Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Kelly Burke, Crespo, Jones, and Manley are excused today."

Speaker Lang: "Mr. Clerk, please take the record. We have 109 Members present, and there is a quorum. Members, we're continuing down our roll of Bills. We'll start with Second Reading Bills. The first one is House Bill 3323, Mr. Acevedo. Mr. Acevedo. Out of the record. House Bill 494, Representative Cassidy. Representative Cassidy. Out of the record. House Bill 3289, Mr. Breen. Mr. Breen. Out of the record. House Bill 4013, Representative Feigenholtz. Feigenholtz. Out of

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

the record. House Bill 3273, Mr. David Harris. Please read the Bill."

Clerk Hollman: "House Bill 3273, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3464, Representative Hernandez. Do you wish to move the Bill? Please read the Bill."

Clerk Hollman: "House Bill 3464, a Bill for an Act concerning Human Rights. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hernandez, has been approved for consideration."

Speaker Lang: "Representative Hernandez on the Amendment."

Hernandez: "Yes. It's just a technical change that we're trying to insert the word 'unlawful' in. It would bring the Bill to an agreed Bill."

Speaker Lang: "Those in favor of the Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2556, Representative Jesiel. Please read the Bill."

Clerk Hollman: "House Bill 2556, a Bill for an Act concerning human trafficking. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jesiel, has been approved for consideration."

Speaker Lang: "Representative Jesiel."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Jesiel: "Thank you, Mr. Speaker. This Amendment would just simply remove the massage therapist from the requirement to post notices. I urge its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3761, Representative McAsey. Please read the Bill."

Clerk Hollman: "House Bill 3761, a Bill for an Act concerning safety. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 821, Representative Mussman. Out of the record. House Bill 3123, Mr. Pritchard. Mr. Pritchard. Out of the record. House Bill 3764, Representative Scherer. Out of the record. House Bill 1453, Mr. Walsh. Please read the Bill."

Clerk Hollman: "House Bill 1453, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Walsh."

Speaker Lang: "Mr. Walsh on Amendment 1."

Walsh: "Mr. Speaker, I'd like to withdraw Amendment 1 and adopt..."

Speaker Lang: "Amendment 1 is withdrawn. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Walsh and has been approved for consideration."

Speaker Lang: "Mr. Walsh."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Walsh: "Floor Amendment #2 makes a technical change to the underlying language and it excludes construction zones and school zones in the underlying Bill. I'd ask for its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'; the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1646, Mr. Sosnowski. Out of the record. House Bill 1666, Mr. Unes. Out of the record. Returning to House Bill 1666, Mr. Unes. Please read the Bill."

Clerk Hollman: "House Bill 1666, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Unes, has been approved for consideration."

Speaker Lang: "Mr. Unes."

Unes: "Thank you, Mr. Speaker. I'd like to adopt the Amendment which very simply becomes the Bill and allows for an adjustment for if a license plate is... if a license plate is being shown with certain vehicles and certain trucks."

Speaker Lang: "Mr. Franks on the Amendment. No. Those in favor of the Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1051, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "House Bill 1051, a Bill for an Act concerning transportation. This Bill was read a second time a previous day. Amendment #1 was adopted previously. Floor Amendment #2,

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Mr. Speaker, I'd move to adopted Floor Amendment #2. It extends the sunset from 3 years to 5 to make it an agreed Bill."

Speaker Lang: "Those in favor of the Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Moving to Third Reading Roll Calls, Ladies and Gentlemen. Third Reading Roll Calls. The first one if House Bill 3757, Mr. Andrade. Please read the Bill."

Clerk Hollman: "House Bill 3757, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Mr. Andrade."

Andrade: "Thank you, Speaker, Ladies and Gentlemen. House Bill 3757 requires participating employers in the Illinois Municipal Retirement Fund to reimburse the fund if the annuitant returns to work when his or her annuity was to be suspended, if their employer is proven to have been aware the annuitant was violating return to work provisions. And that's the important part. It's the employer is proven. So, this Bill also would allow IMRF to weigh the evidence in cases of violation. If there's any questions."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Switches are just where they were when we

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

left on Friday. Please record yourselves. Acevedo, Hernandez, Soto, Williams. Please take the record. On this question, there are 108 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3669, Representative Bourne. Please read the Bill."

Clerk Hollman: "House Bill 3669, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Lang: "Representative Bourne."

Bourne: "Thank you, Mr. Speaker. This Bill provides that crossbows will have a maximum draw weight of 300 pounds. I'm open..."

Speaker Lang: "Mr. Franks, are you still playing with your light? Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davidsmeyer, Drury, Evans, Lilly. Please take the record, Mr. Clerk. There are 108 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1382, Mr. Bradley. Please read the Bill."

Clerk Hollman: "House Bill 1382, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "This is a land conveyance regarding the transit district in Marion. My understanding is the requisite appraisals are in. I'd ask for an 'aye' vote."

Speaker Lang: "Mr. Franks, are you still playing? Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Unes. Please take the record. There are 108

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3086, Mr. Bradley. Please read the Bill."

Clerk Hollman: "House Bill 3086, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Yes. This was an unintended consequence of our efforts with regards to reit, real estate and trust... investment trusts. This would allow tax-exempt... parts of tax-exempt investments to remain so and would close this particular aspect of the rights... re-write that we took place a few years ago. I'd ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves. Chapa LaVia, Flowers, Jesiel, Tryon. Please take the record. There are 107 voting 'yes', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 217, Representative Cassidy. Out of the record. House Bill 4025, Representative Conroy. Representative Conroy. Out of the record. House Bill 1081, Mr. D'Amico. Please read the Bill."

Clerk Hollman: "House Bill 1081, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 1081 is a Bill that we've been working on for quite a long time. And what this Bill does is it takes away our specialty license plates and makes it one universal

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

license plate. Because there's been so many problems with our police officers and law enforcement, there's so many plates on the street, this will correct some of those issues. So, I'll be open to any questions."

Speaker Lang: "Representative Ives."

Ives: "Hi. Thank you, Mr. Speaker. Just as a little bit of context to this. Currently there are 109 plates that are in production... actually, out there... 109. There are 59 more sitting there waiting, pending, waiting to get approved. And at least, this Session alone we've probably passed 5 out of the House already, additional specialty plates. So, you're looking at a substantial number of license plates. I think this is a great Bill. Thank you so much for bringing it forward."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sandack: "John, I think this is a great idea. It's probably... should have come a few years ago. Help me out with the mechanics going forward. Are we going to eliminate all of the individual license plates we already have and go to this universal and phase it in? Or is it only for perspective licenses and organizations that want to get a sticker or some type of special allocation?"

D'Amico: "No. Good... good question. What we're going to do is the ones that are in existence are grandfathered in and we're going to move forward from this day forward. So, what you're going to... you know... you're going to still have to come here and introduce a Bill to get this specialty sticker that's

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

going to get put on your... on your license plate as well. But... if the ones that are in existence today do not meet the requirement like today... in today's law, then the Secretary of State can take them away as well."

Sandack: "All right. I think this is a great idea. And obviously the only thing I would think that maybe they'll want to contemplate going forward is trying to phase it in so that it only becomes one license plate truly in the future. I don't know if it's 15 years down the line, but to me that makes sense."

D'Amico: "Well, I think eventually that may happen because as time goes on sometimes these plates that are in existence today do not meet the requirement. And they could be phased out and brought in to the universal plate as well."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Bellock: "So, I'm just asking the question about the designation of money for the special plates. Because when you buy a special plate there's usually a fund that's set up, correct? That that money... like if you buy an autism plate... that money goes to the Autism Fund. So now if the people spend all that money... \$101 or whatever it is... where does that money just going to?"

D'Amico: "The... it's... everything stays the same. The fund... the money is going to still go to whatever group you elect it..."

Bellock: "Oh, okay."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

D'Amico: "...to go to. What they're going to be doing is they're going to be purchasing a sticker. And actually we're going to...

Bellock: "And then that's going to go on the plate?"

D'Amico: "...cut down on the cost because it's a universal license plate and we don't have to continuously print up new license plates, whatever the cause may be. This will be a sticker that will be designed by your group..."

Bellock: "Okay."

D'Amico: "...and then the Secretary of State has to sign off on it."

Bellock: "Okay. So is there... I apologize if you've already answered this question. Do they still have to keep up then the same amount... you know, that... is that what you already answered? That if they don't have the same amount of people they will take it away?"

D'Amico: "Yes. That's correct."

Bellock: "Okay. Thank you very much."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank... thank you, Mr. Speaker. Question of the Sponsor."

Speaker Lang: "Sponsor yields."

Harris, D.: "So, Representative, so we're clear, they have to meet... the individuals that... or groups that... that want to get a special sticker have to meet all of the requirements that are currently required for the special plate right now?"

D'Amico: "Correct."

Harris, D.: "Right."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

D'Amico: "And legislation would have to be introduced, as well, for that."

Harris, D.: "Right. And as I understand right now the.. the requirement is 1500 plates or potentially 2 thousand if we... if it's signed that we raised the number, correct?"

D'Amico: "That's correct."

Harris, D.: "Okay. And just to the Bill, Ladies and Gentlemen. One of the previous speakers made reference to the number of plates that are out there. She underestimated. The Secretary of State was in the General Services Appropriations Committee the other day. I asked them a question about how many plates are there. There are 193... 193 vehicle plates for passenger vehicles and that doesn't even count the truck plates. Imagine the confusion that exists with the State Police. Excellent Bill. Deserves to fly out of here with no negative votes. Thank you for bringing this forward."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Davis, W.: Representative, I'm having some trouble understanding. What is the confusion with law enforcement with the different kinds of plates? Can you explain that to me, please?"

D'Amico: "You know what, because... because there's so many plates on the street, you know. Like Representative Harris just said, I think he said, it was 193. I didn't realize it got that high. It's hard for the police officer to keep up with every different plate that's on the street. And not only that, but we have... you know, like we have I-PASS here in Illinois. And you have people getting tickets in the mail. Let's just say

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

your license plate number is, you know, whatever number it is, make number 23. Well, that means there's a 100 and some plates with the number 23 on it. And sometimes the wrong people are getting these tickets in the mail and then having to go and defend it."

Davis, W.: "Okay. Well, you said law enforcement is having trouble keeping up with them. What are they having trouble keeping up with? I'm really having trouble understanding this."

D'Amico: "All of the different designs.. all the different designs. There's so many plates on the street they don't know if, you know, that's an Illinois plate, a Wisconsin plate, a Michigan plate because there's so many different designs."

Davis, W.: "What... what if somebody is driving and violates the law, what difference does it make what kind of plate they have?"

D'Amico: "Well, no. If they're violating the law, they'll just get pulled over and be able to figure it out. We're talking about some times with hit and runs. You know just, you know, any accidents. They're... law enforcement is having a very hard time keeping up with this."

Davis, W.: "Okay. So what you're proposing is a very bland plate that if you have a particular interest in something like youth golf or something like that, there'll be a sticker for the plate that will designate that person's interest in whatever their interest is?"

D'Amico: "Correct."

Davis, W.: "Just a sticker? That's it."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

D'Amico: "It's... it's not a little small sticker. I mean, it's... it's approximately, I think, 2 and half inches big that will be on the license plates."

Davis, W.: "So are we... so, are you changing the way plates are distributed? Like for instance, I think in Illinois you can have seven characters on a plate. Up to seven characters. You know, letters, numbers. I mean, are you changing any of that?"

D'Amico: "Yeah. Everything like that is going to stay the same."

Davis, W.: "That... all of that's going to stay the same. So anyone that currently has a specialty plate... like for instance, my fraternity has a specialty plate. So anyone that currently has the plate, they'll... they can continue to have the plate?"

D'Amico: "Correct."

Davis, W.: "Okay."

D'Amico: "They can..."

Davis, W.: "So how was... so how was making this change making it easier for law enforcement if you're not getting rid of all the specialty plates altogether?"

D'Amico: "Well, the thing is... we're not... we're not getting rid of what's out there right now. Over time if they fall below the required amount as of law right now, the Secretary of State can do away with it. Our... our big problem is at what point do you cap this? I mean, right now we have almost 193 plates on the street. What are we going to do? Wait 'til there's 500 or a thousand? Because it seems like we constantly have more and more plate Bills coming before us and every one of them is a great cause. And you can't not support them. This is a way we could support everybody and we're just going to be putting an

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

end where's it's not going to continue to just grow out of control."

Davis, W.: "Well... well... you talk about if the law enforcement wants to write a parking ticket that because you've got the same number set on different specialty plates that different people... wrong people are getting the tickets. Isn't that a failure that law enforcement is not writing correct information..."

D'Amico: "Well, no..."

Davis, W.: "...on the tickets?"

D'Amico: "No. And I'm not talking about when law enforcement does it. Mostly, I'm talking about like when you go through the I-PASS. That is one example where sometimes it doesn't catch the whole license plate. Maybe it didn't recognize that it was a park district license plate or whatever particular special plate out there, and it just caught the numbers."

Davis, W.: "Right. You want to know what's interesting about you're I-PASS example? You know, as Legislators we're allowed a second set of plates and the differentiation is the fact that one set has a dash."

D'Amico: "Correct."

Davis, W.: "You know... you know, their technology doesn't even recognize that?"

D'Amico: "Yeah, but you... you or I would still get that ticket whether it's you or your wife or whoever else is driving that. You would get that ticket."

Davis, W.: "I mean, if you tried to actually register your other set of plates with tollway to get an I-PASS... 'cause I've talked to them about this..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

D'Amico: "Oh, I got... okay, I understand."

Davis, W.: "...they don't... they can't even recognize the other set of plates 'cause their technology doesn't recognize dashes. So, if their technology was better, maybe they could distinguish some of these other different plates. Again, I'm just... I'm just having really just a little trouble with the idea. I mean, if we want to just cut out requesting specialty plates altogether, then let's just do that versus creating a plate where you get a sticker. Some of the... some of the... the benefit of the specialty plate is the way it looks. Now maybe with some of the other plates... I don't know... but with like fraternity plates, the idea that it's a particular color scheme, it's specific and indicative to the fraternity that I'm a part of. And it seems like you're taking away some of that by suggesting this type of change."

D'Amico: "No. And I understand where you're coming to. And eventually, I think, over time some of these plates are going to be gone away with because there's a lot of plates that met the requirement when they first bought them, but then as time goes on and their popularity diminishes, they don't meet the requirement. And it's up to the Secretary of State whether he wants to take them away or not."

Davis, W.: "Thank you very much, Representative."

D'Amico: "Thank you."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. To the Bill. First of all, I want to thank the Sponsor very much for bringing this Bill forward. This is something I've worked on for a long time and this year we saw the opportunity and Mr. D'Amico in his role

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

as chairman was able to bring this to the floor. And this is farther than we've ever gone. And the reason why we need it, one of the previous speakers was asking, is really it's a question of public safety in dealing with law enforcement officials. And we've... I've met with the Illinois State Police and also with our local police. It's very, very confusing because we have so many specialty plates. In an example that I had provided before was with someone might have a General Assembly plate and then get a parking ticket in the City of Chicago. There's nothing on the City of Chicago's parking tickets that would show that it's a legislative plate. So someone who had plate number 99, for instance would then get that ticket. So this is... this will... first of all, it helps our... our public safety folks and also cuts down on a lot of the confusion. As the Sponsor had said, this... all the moneys that are collected that go to the charitable organizations will still go there. So this makes perfect sense going forward. It will help our law enforcement community; it'll still help those organizations going forward. And it's something that I want to thank the Secretary of State for working on, as well because ultimately it's a burden upon the Secretary of State's Office and they've worked closely to help draft this. So I'd encourage an 'aye' vote. I think it's proper public policy, something that's long, long overdue. And one that I hope that everyone can support."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. One of the prior speakers talked about the confusion of the law enforcement. One of our colleagues recently had his car towed in the City of Chicago

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

because his number matched the number of a... somebody who had obviously some unpaid parking fines or whatever it was and one of our colleagues had a very difficult time convincing the police and getting his car back because of the confusion that occurs because of the plethora of plates that we have. So, I think if there's a... my number is 27. If there's 109 of them out there, I think that's confusing. I applaud the Sponsor. I know he's been wanting to do this for a long time. This is a really great step forward in finally ending the proliferation of these kinds of plates and starting to get a handle on it. I urge an 'aye' vote."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you. Would the... would Secretary D'Amico answer our question, please?"

Speaker Lang: "Sponsor yields."

Sullivan: "Mr. Secretary, could you explain how this Bill would affect the license... one of the debates going on in the General Assembly is the license plate readers that municipalities have. Would this make it easier for them to read those plate... I mean, make it easier on law enforcement to capture this data if we change to a universal plate than all the many that we have today?"

D'Amico: "Well, yes, Representative. What it would do, it would just... it would just stop these plates from growing out of control like they are now. I mean, like I said earlier, at what point... you know, where's it going to stop? When we have 500 different plates out there? So, this is just going to... it's going to curb that."

Sullivan: "And how long would your office hold that data?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

D'Amico: "How long... how long would it hold the data?"

Sullivan: "How long would your office hold that data?"

D'Amico: "I don't... I don't think I'm understanding what you're saying?"

Sullivan: "Thank you for your answers."

Speaker Lang: "Mr. D'Amico to close."

D'Amico: "I just want to thank my colleagues for their words on... on this Bill. I encourage an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Golar, Wallace. Please take the record. On this question, there are 108 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Jesiel."

Jesiel: "Thank you, Mr. Speaker. I just wanted the record to reflect on House Bill 3757 I'd intend to vote 'no'."

Speaker Lang: "The record will reflect your intention. Mr. Franks is recognized on a point of personal privilege."

Franks: "Thank you, Mr. Speaker. I appreciate that. I'd like to introduce our Pages from today, Brooke, Bailey, and Brock Burtrass are down in the front. And then I have my special helper, Beau, who's been voting for me. And as you can see it's... I've gotten much better. The green light works. Beau likes dragons, monster trucks, likes to do head butts, and he's really good at fist bumps if you see him. But I just wanted to make sure that he got introduced today and he'll be hanging with us for a little while. So, thank you. You're on TV, kid. Take a look."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Welcome. Welcome. Happy you're here. And we did notice Mr. Franks with a better voting record for the last half hour. House Bill 2542, Representative Monique Davis. Please read the Bill."

Clerk Hollman: "House Bill 2542, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Davis."

Davis, M.: "House Bill 2542, Mr. Speaker, requires the state banks and credit unions to collect, if they already do not, and report applications received from loans given to women-owned businesses, minority-owned businesses, and small businesses. House Bill 2542 is identical to Federal Law under the Dodd-Frank Wall Street Reform Act enacted in 2011. The financial institutions are not obligated to collect and report the information because the Consumer Financial Protection Bureau has not issued implementing regulations in the Federal Government. However, House Bill 2542 seeks to require the collection and reporting of this information at the state level and applies only to state banks and credit unions. If passed, the section will repeal automatically when the effective date of the federal implementation law is in place. It states that the purpose of the section is to facilitate the enforcement of fair lending laws and enable communities, governmental entities, and creditors to identify community development needs and opportunities of women-owned businesses, minority-owned businesses, and small businesses. This Bill reflects the definition used by the Federal Government. Women-owned businesses means a business that has more than 50 percent of the ownership or control held by one

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

or more women and more than 50 percent of the net profit and loss belongs to more than one woman. This is identical to State Law. The minority-owned businesses means a business that... that has more than 50 percent of the ownership or control held by one or more minority individuals and more than 50 percent of the net profit and loss accruing to one or more minority individuals. Small business means the same. As small business concern as defined by the Federal Small Business Act. Mr. Speaker, I ask for a favorable vote."

Speaker Lang: "Mr. Sandack."

Sandack: "Question of the Sponsor, please."

Speaker Lang: "Sponsor yields."

Sandack: "Thank you. Representative, I'm looking at the analysis... and thank you for that very detailed explanation. I'm appreciative of that. At least by my analysis, there are significant opponents to your legislation: IDFPR, the Illinois Bankers Association, the Community Bankers Association, the Illinois Credit Union League, and the Illinois League of Financial Institutions. Are you aware of those organizations' opposition?"

Davis, M.: "Of course, I'm aware of it, Sir. Because had they not been opposed, we would have this in effect. Of course, I'm aware of it. They don't want to do it. That's why we're passing the law."

Sandack: "Have you sought to amend your Bill and work with them on any type of potential compromise?"

Davis, M.: "I have attempted to work with them. I have talked with them at length. And it is something that they do not choose to do."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Sandack: "They don't choose to negotiate or they just won't..."

Davis, M.: "Well, I think the important thing is many times a community lacks businesses because the bank fails to loan money to people of color, to women, or small businesses. And if we don't do that, these communities suffer. So all we're asking... and they already... the banks already have the information, we're merely asking that they report the information. And once the Federal Law kicks in, we will abolish or repeal this legislation for the state."

Sandack: "Thank you. To the Bill, Mr. Speaker. There's a lot of reasons to oppose this legislation. Maybe none better than what the Sponsor said herself, which is when the Federal Law comes in to play, we'll repeal this Bill which seems to indicate to me that there's no basis upon which independently to keep... to make this Bill the law. The Illinois Department of Financial and Professional Regulation states that creating this Bill would create a new reporting requirement for state chartered institutions and would create significant compliance costs for those institutions. So if you're in favor of highly regulated banks being even more highly regulated and consumed with paperwork and regulations, this Bill is for you. If you're instead in favor of streamlining the process and making actual capital available to our borrowers, vote 'no'."

Speaker Lang: "Mr. Batinick."

Batinick: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Batinick: "Representative, I am greatly supportive of the intent of the Bill. And I wanted to make sure I was clear on a couple

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

things. This only affects state chartered banks and not federally chartered banks, is that correct?"

Davis, M.: "At this time, that is correct."

Batinick: "Okay. And my understanding is according to our analysis less than one percent of the loans would be effected?"

Davis, M.: "That is probably correct."

Batinick: "Okay. What we... what we have here is a situation where the irony might be that enacting these type of regulations we're actually hurting the people that we're trying to help. And I have some examples for you. We've gone from... we've lost 105... 145 small community banks in the last 5 years since 2010. The small community banks are already being crushed by regulation and they're being eaten up. This Bill does not affect Chase Bank. It does not affect Bank of America. It affects the very small community banks. They'll have extra regulations that their... that their larger competitors do not, which is problematic to me because I know that a lot of minority-owned businesses, small business, women-owned businesses go to the community banks. The example I'd like to use on this, we're putting more regulation on George Bailey. Remember George Bailey from *It's a Wonderful Life*? The problem in this... the problem in this country with... with growths... growth of small businesses, minority-owned businesses, and small businesses is not the George Bailey banks. George Bailey isn't responsible for this problem. George Bailey's the solution to this problem. It's the small community banks that make decisions not from the spreadsheet far away but by knowing somebody and who they are and what the character of who they are. This Bill ironically affects a very small amount

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

of people, the people that can probably fix some of the issues that we're talking about here. This Bill is bad for small businesses. It's bad for woman-owned businesses. It's bad for minorities. It's bad for George Bailey. I urge a 'no' vote. Thank you."

Speaker Lang: "Representative Ammons."

Ammons: "Thank you, Speaker. Would the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Ammons: "Representative Davis, this Bill's intent is to get at why minority businesses are not receiving loans to support their businesses, correct?"

Davis, M.: "Well, actually, we're asking the banks to report to the state the loans that they give. They already collect this information. It isn't any new information they have to collect. They merely have to provide it to the state, so that we can look at the number of loans they're giving to the people that they're getting the money from. A community bank is supported by that community."

Ammons: "Correct."

Davis, M.: "So they should be loaning money to the people that live in that community or those who are women, those who are minority, African American, Latino, and small-business owners."

Ammons: "There is a... to the Bill. There is a report that was done on... I won't name the national bank, but there's a federal lawsuit pending currently on the unequal practices, unfortunately, of some institutions that are not loaning money, specifically to African-American business owners. And if we look at African-American communities from the top to

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

the bottom of this state, you'll probably see a similar theme. One of those themes is that you have high unemployment because you have low business involvement, development, and loans. The reason why you must do this and support this Bill, which is only asking to collect data, is so that those business owners have an opportunity 'cause we're talking about opportunity. They should have an opportunity to go to their community banks of whom their dollars support to say we need to improve on our ability to loan to women-owned businesses, to minority-owned businesses in the community that could then turn around and hire many of those who are unemployed. All of these things are connected. We also have double-digit unemployment for African-American youth. And youth, in general, are unemployed in our communities. And this is one way to do that by growing businesses. So I believe just collecting data that's already there should be an easy task for our institutions. And I encourage an 'aye' vote for this Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. To the Bill. Mr. Speaker, the problem here in the State of Illinois is we have a revenue problem. We need to grow jobs. We need to create jobs so people can go to work and they can pay into the GRF funds. But because we no longer have factories like we used to, we are dependent upon people being creative and being creative, that means they need money in order to create small businesses. The banks are in business to loan people money. A lot of banks have failed because of they have played... they have played a gambling game with other people's money. Banks

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

do not make money but they make money off the... off of our money. We, the taxpayers, we make those deposits. A lot of banks... a lot of banks get state deposit into their bank. They reap the benefit from the growth and they continue to take care of their shareholders, their shareholders. But what about we the people who make those deposits in the bank? What about ma and pa who want to send their kids to college? What about ma and pa who want to expand their restaurant so they can hire more people in the neighborhood? Banks are successful because we the people make the deposit in the banks. As a result of our deposit, once again, they take care of their shareholders while our businesses fail, our kids cannot go to college. Representative Davis is merely asking for a report. How many loans do you make to minorities? We're not asking for their balance sheet, how much they took in, but we do want to know how many. I urge an 'aye' vote."

Speaker Lang: "Mr. Breen."

Breen: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Breen: "Representative, do you have examples of a state chartered bank, local community bank refusing loans on a widespread basis to minorities and women?"

Davis, M.: "We have examples of people contacting my office who have said to me, Representative Davis, can you help me get this bank to loan me the money to open this store or expand my business. One of the things that happens in the African-American community is people who really are not from our country they own all the businesses, but people who live in that community can't get a loan from the bank. You'd be amazed

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

at how often people go to the bank to get a loan to open a business, to make money, to put people to work, and they're denied, so they come to me. They probably go to other Legislators. But we need to ask the banks to report. You're already keeping the information. Report and share it with us in the State of Illinois. That's all we're asking them to do. We're not mandating that they loan it. We're not mandating that they do this. We're just asking that you report what you're doing. You already keep track of it. Just share the information."

Breen: "I believe that is a no. But I will... I will certainly leave... leave it for later. Now, if I have a community bank, and I want to loan more money to minorities, women, and other disadvantaged groups, can I make active steps to increase my loans to those communities under your Bill?"

Davis, M.: "You said can you make active steps?"

Breen: "I want to take active steps to loan more money."

Davis, M.: "Absolutely. Then you should do that and we would be grateful for that."

Breen: "See... and this is the problem. When I read the Bill, it's prohibiting telling loan underwriters and officers about the data. So you can't reveal to them that this is a minority-owned business or a woman-owned business."

Davis, M.: "Because they don't want discrimination... or should I say more discrimination to occur. That's Federal Law. That is federal law. That's not State Law."

Breen: "Well, but as I understood it you can do affirmative action in a court of Federal Law, can't you? I mean, if you wanted to."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Davis, M.: "Well, that's in the keeping of the data. But I think more significantly here is, why do they want to keep it a secret? Why do they not want to be transparent? Now that's a question. If people ask you, well, how many people are doing this, how many people are doing that, and you have the data, why would you not want to share that data unless you felt there was something wrong."

Breen: "Well, and I'll go to the Bill now. Thank you... thank you, Representative. I... again, I agree with the sentiment of this Bill but disagree with the implementing... regulation because it does actually act against itself. It prevents community banks that want to be more active in extending loans to minorities and people of color. It has strict requirements about segregating duties and segregating this data in a small bank that may only have a few personnel who deal with loans and could create a situation where you have to hire additional people merely to comply with the regulation, even if your bank is in perfect compliance and is trying to be more sympathetic and active for people of color and for women. Thank you."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. I'm going to speak to the Bill from a... from a unique perspective. I sit on the board of the largest privately owned financial institution in the United States. I'm also the chairman of the board of a community bank. I employ a lot of people through those businesses. I will be voting 'present' on this Bill because of my obvious conflict of interest. But I want you to know that I don't think that this Bill will do what the Sponsor wants it to do."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

The bad actors that she's talking about are not the community banks and the credit unions. Right now the community banks are regulated by the IDFPR and we have what's known as the Community Reinvestment Act that has to be complied with, we're actually graded on it. And if you do not fulfil those obligations, then you will have problems with the regulators. We already have this. The problem that you're trying to address can be... are created not by the community banks who are the ones investing in the community, but by the larger banks that you would... some speakers have talked about, that this Bill would not regulate. This Bill would not do anything for those large banks that you are trying to punish and those that have frankly caused a lot of problems. When we had the meltdown a few years ago, it wasn't the community banks and the credit unions, it was the large Wall Street banks that almost brought the entire world to its knees. This Bill here is fraught with problems because we're not allowed to ask some of these questions when we're giving loans. A lot of loans... we are regulated by giving loans, not so much on assets anymore, but it's based on cash flow. So no matter what someone may have, it doesn't matter if they don't have the cash flow. Some of these questions you're asking, we can't even ask. So I know how well-intentioned the Sponsor is and I appreciate your efforts, but this Bill is misguided. It's aiming at the wrong folks. We're punishing the wrong people. And it will just increase costs. We won't get anything more out of it. And it's just a Bill that we don't need. So as I said, I will be voting 'present', but it's poor public policy. I'm happy to work with the Sponsor to try to get the

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

information that she's trying to get. This Bill will not do it. And it will punish the people who can least afford to be punished and will punish the people who did not cause any of the problems."

Speaker Lang: "Mr. Wheeler."

Wheeler K.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Wheeler, K.: "I also want to add my appreciation for the Sponsor's initiative here. I have spoken with a couple of community banks in my district. Both of whom have made it very clear to me that the regulatory environment that they are within right now is crushing to them. And adding additional regulations for almost any purpose right now is going to be unacceptable. I just want to make sure that the Sponsor understands that I, too, would like to be of help, but we need to get the bankers on board. They're under too much regulation right now. At this point, I am a 'no' vote. Thank you."

Speaker Lang: "Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker and to all of the people who spoke, this Legislation does not hurt any bank. It's information they already gather. The Frank Dodd Bill that passed in the Federal Government in 2011 is continuing to work out the implementation of this Bill. It does not recrea... do not create any new paperwork that they have to do. They merely have to report... report to the State of Illinois the number of people who are of color who apply, the number of people who are Latino who applied, the number of women who applied, and how many of them were successful in obtaining a loan. Any problem with not obtaining a loan can be worked out

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

if people know why they're not being given the loan. One of the reasons we have a Legislature in the state is to provide answers and solutions to problems. When you go into many African-American communities, there's stores they have closed up. They're buildings not being used because someone cannot get a loan, perhaps to open a beauty shop, perhaps to have a shoe shine place, perhaps to expand their real estate office. I've talked to some small bankers and they tell me this information is readily available and they can share this information without any additional cost. Now we know we just celebrated the 150th anniversary of Lincoln's death... death. I think if we put in place some of the thoughts and feelings that President Lincoln had that all men are created equal, that we have a right to the pursuit of happiness, then you'll find it in your heart to vote 'yes' on this Bill. Banks will survive whether the Bill passes or not. Banks will continue to make great profit and we don't object to that. But we just think when you're shutting out a number of people... a group of people who cannot reach the American dream, who cannot do what others do because they're not given equal opportunity. I beg of you... I implore you to vote 'yes' on this Bill. Give businesses a chance in our communities. Thank you, Mr. Speaker."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. DeLuca, Drury, Dunkin, Gabel, Riley, Sims. Mr. DeLuca. Mr. Clerk, please take the record. On this question, there are 54

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

voting 'yes', 52 voting 'no', 2 voting 'present'. The Chair recognizes Representative Davis."

Davis, M.: "Postponed Consideration, please."

Speaker Lang: "Bill will be put on the Order of Postponed Consideration. House Bill 3664, Mr. Davidsmeyer. Please read the Bill."

Clerk Hollman: "House Bill 3664, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker. HB3664 is actually in response to a Bill that we passed last General Assembly that expanded America's Central Port. What this does is it simply takes Cory Township out, it leaves in the Village of Grafton, which they wanted to stay in, and it makes a change on foreign trade zone designation so they can operate the same way the port district does on the Missouri side. And I move for its passage."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? D'Amico, Moylan. Mr. Moylan. Please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3237, Representative Feigenholtz. Please read the Bill."

Clerk Hollman: "House Bill 3237, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lang: "Representative Feigenholtz."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3237 is a Bill that permits various types of social media advertising and marketing to encourage a healthy business environment. I'm happy to answer any questions."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Bryant, Dunkin, Unes. Please take the record. On this question, there are 66 voting 'yes', 42 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1004, Mr. Ford. Mr. Ford. Out of the record. House Bill 4112, Representative Gordon-Booth. Representative Gordon-Booth. Out of the record. House Bill 3672, Greg Harris. Please read the Bill."

Clerk Hollman: "House Bill 3672, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation is an initiative of the Recorder of Deeds of Cook County, Karen Yarbrough, that would allow Cook County, Jo Daviess, DuPage and the other counties that have property tax... property registration fraud systems to have people sign up and also assign banks or realtors or other persons to be notified if there is action, potentially fraudulent, on their titles. I'd be happy to answer any questions."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

wish? Have all voted who wish? Have all voted who wish? Sullivan. Please take the record. On this question, there are 107 voting 'yes', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1493, Representative Lilly. Representative Lilly. Out of the record. House Bill 4130, Mr. Mautino. Please read the Bill."

Clerk Hollman: "House Bill 4130, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 4130 is an initiative of the Department of Military Affairs in conjunction with the City of Streator. This Bill will transfer to the City of Streator the armory, which was built in 1938, was closed down a year ago, or actually this year, and its... its unit was transferred to Machesney Park. So the Department of Military Affairs has met with the City of Streator. It's their intention to use the armory building for a community center and also to put in a business incubator. And I'd appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4018, Mr. Mautino. Please read the Bill."

Clerk Hollman: "House Bill 4018, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Mautino: "Thank you, Mr. Speaker. House Bill 4018 is an initiative and it reflects an agreement between the Liquor Control Commission and the Beer Distributors of Illinois, the Hospitality Business Association and Retail Merchants. And what it says is that the... it states that nothing in the Act would authorize the Liquor Commission to regulate or exercise jurisdiction over transactions for none liquor items. This arose from the sale of juices or giving... giving equipment to stores so they could display your products. And about a year's worth of meetings went on and they were able to reach an agreement between the Liquor Control Commission and the distributors that those... that equipment could be placed and it would not be regulated by Liquor Control. Appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Sims. Please take the record. There are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3819, Mr. Phillips. Mr. Phillips. Please read the Bill."

Clerk Hollman: "House Bill 3819, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Mr. Phillips."

Phillips: "Yes. Thank you, Mr. Speaker. This is a Bill that was brought to me, Mr... by Mr. Tyron. And I'm... Tryon... And I'm running the Bill for him. He successfully passed it through committee. And I'm hoping to do the same for him here today. The Bill amends the Environmental Protection Act, provides

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

that before issuing a permit for the operation of a tire storage site the Environmental Protection Agency shall conduct an evaluation of prospective owners or operators prior to experience in tire storage site management. Provides that the agency may deny such a permit or deny... or revoke interim authorization if the prospector owner or operator or any employee or officer of perspective owner or operator has a history of repeated violations of federal, state, local laws, regulation standards, ordinances, and operating of a tire storage site. Effective immediately. And I'd appreciate an 'aye' vote, Mr. Speaker."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Breen. Please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 13... Congratulations. House Bill 1380, Mr. Phelps. Mr. Phelps. Out of the record. House Bill 397, Mr. Welch. Please read the Bill."

Clerk Hollman: "House Bill 397, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Welch."

Welch: "Thank you, Mr. Speaker. House Bill 397 is a Bill that gives local elected school boards the authority to authorize charter schools. Under House Bill 397, charter schools will be approved by the locally... locally elected school board and supported by the community before they are allowed to open. This Bill would remove the ability of any state entity to

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

overturn the decision of a local school board to deny a charter school application. This initiative would create a charter school application process where only locally elected school boards and parents could decide if a charter school is good for their community. The Amendment allows a charter school applicant to appeal to the courts under judicial review, if it is believed that the application review process was not performed as outlined in the statute. This Bill when presented in committee had over 67 proponents and only 11 opponents. Some of those proponents include the IEA, School Management Alliance, LUDA, LEND, SCOPE, IHSA-DO, ED-RED, IFT, and the Chicago Teachers Union. I ask for an 'aye' vote."

Speaker Lang: "Representative Wheeler."

Wheeler, B.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Wheeler, B.: "Representative, if you don't mind, could you please walk me through the process in creating a charter school?"

Welch: "Well, currently under existing law, you can apply before the local elected board and if the application is denied, you can go to the Charter School Commission and they can overturn the decision of the local school board and whether the community wants it or not they would have a charter school in their community."

Wheeler, B.: "Okay. So, this is an initiative from the community they bring to the school board?"

Welch: "This is an initiative of a charter applicant, who under existing law, a charter applicant can go before the local board, and if denied, go to the Charter Commission which can overturn the local elected board."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Wheeler, B.: "So, it's my understanding that most times the initiative comes from the community. If in an appeal, there... right now, current law says you can appeal through the commission. Who makes up the commission?"

Welch: "The commission is made up of nine members appointed by the Governor."

Wheeler, B.: "I'm sorry. Say that again. I couldn't hear you?"

Welch: "The commission is made up of nine members appointed by the Governor."

Wheeler, B.: "And do they have any commission experience or are they just appointments from the Governor. What would you..."

Welch: "Just appointments from the Governor."

Wheeler, B.: "Okay. In 2011, the bipart... there was a bipartisan support from ISBE that created the commission before ISBE performed the appeals. Do you know why the 2011 legislation was created for the commission?"

Welch: "I was not here in 2011, so I can't answer that."

Wheeler, B.: "So you don't know why ISBE no longer does it and there was bipartisan support for the commission?"

Welch: "I can surmise that it was because of some things going on in Washington. And... The creation of the Charter School Commission had something to do with the state receiving dollars, but that's just surmising and I don't know for sure why it was turned over to the Charter School Commission."

Wheeler, B.: "Okay. So, the answer still is you don't know why in 2011 there was bipartisan support for a commission to be created to take over the appeal process from ISBE?"

Welch: "I don't."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Wheeler, B.: "So, let me ask you this. In four years can you tell me what has changed? Why... what has the commission done that they should be completely eliminated?"

Welch: "Well, first of all, Representative, this Bill does not completely eliminate a charter school... the Charter School Commission. House Bill 3..."

Wheeler, B.: "Okay. Let me rephrase. Let me rephrase question."

Welch: "House Bill 397 specifically still calls for a role of the Charter School Commission."

Wheeler, B.: "Let me rephrase the question then. After four years of the commission being able to overturn appeals, what's changed that we need to eliminate that order of business for the commission?"

Welch: "Well, I think what has happened in the last four years gives support for what this Bill does. There have been over 40 applications through the Charter School Commission. They've heard... they've heard three appeals. Two of those were overturned. Those two had been raided by... those two schools were raided by the FBI. But more importantly, 37 applications that were approved by local elected school boards were not considered by the Charter School Commission. That shows that local school boards get it right. The local school board that is elected by a community has gotten it right. I think in four years we have enough data to approve this Bill and allow local school boards to continue to get it right."

Wheeler, B.: "So, because the commission only overturned two of the appeals in four years, and ISBE, I believe, was... well, it was per... doing the appeals, as well, they overturned two, you feel that there's no need for the appeal process?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Well, I think it's important to know that they... they granted two to an organization that's been raided by the FBI. But I think it's more important to focus on the positive and the 37 that were approved by local elected school boards. Local boards that got it right is indicative of why this is such a good Bill."

Wheeler, B.: "To the Bill. I'm suspect of the motivation for this change. I don't think that the removing of the commission from the appeal process is the best way to do things. Thank you. I urge a 'no' vote."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sullivan: "Representative, in dealing with this commission is there any indication that commission authorized schools are not providing high level of education in the schools or to the students?"

Welch: "I couldn't hear your question, Representative. Can you repeat that?"

Sullivan: "So... Sure. Do you have any indication that commission authorized schools are not providing high quality education to the students they serve?"

Welch: "Well, there's been numerous reports that charter schools on the whole have not been performing as well as people thought they would."

Sullivan: "Sure. And that... and that goes to charters, in general. I'm talking about, you know, the commission authorized schools. I mean, is there... is there any indication that once they've approved something that it's been bad?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Other than the fact that they were raided by the feds?"

Sullivan: "But are the schools performing poorly?"

Welch: "I don't have any information to say whether they are or not."

Sullivan: "Okay. So there's no indication that once they've approved these schools that those schools have performed poorly, therefore, hurting the students that they serve. That... that's your indication?"

Welch: "Correct."

Sullivan: "Thank you. When we talk about appeals processes, you know, there's lots of instances where people have an appeals process. I can think of just a few: property tax assessments, zoning decisions. People have an appeals process. And I would... I would think that you would think that most people... or that that's a good thing that people do have appeals processes. I mean, what... you don't think there should be an appeals process if somebody has violated the law, there shouldn't be a secondary appeals process for this?"

Welch: "Representative, when I filed this Bill, the very next day people were in my office from the charter organizations discussing this Bill. Every step of the way, I have been open and willing to make changes and be fair in this process. The Amendment that was... Amendment #3 was something that I filed. I filed after listening to numerous people about this particular Bill. House Amendment #3 specifically allows charter organization or applicants if they're denied by a school board and they don't like that decision, if there was a procedural flaw, they can go for judicial review. That is an appeals process. But there's also... I want to make it clear.

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

This Bill does not eliminate the Charter School Commission. There are still ways that charters can be approved by the Charter School Commission."

Sullivan: "So, in regard to Amendment #3, currently, it's my understanding that the commission itself has quite a few members with vast educational experience. Would that be your analysis of the commission, as well?"

Welch: "I don't have the list of the members in front of me and I don't know any... I don't know their backgrounds."

Sullivan: "I think most people..."

Welch: "But I'm going to... I'll concede to you that that's probably true."

Sullivan: "Okay. So you can see that the commission probably has a few people that understand education and charter schools, which is... is my belief as well. Do you think that in going through judicial review that this judge will have an understanding of education and what's right and good and bad and wrong for these types of charter schools? I mean, which would be a better venue is what I'm getting at. People that understand the process, have educational background, or a judge who just doesn't understand... that might not know what's best for the charter schools and the families they serve?"

Welch: "Well, I'm a lawyer. I've been doing it for 18 years. And I'm partial to the judicial process. I think... I think judges are honorable people. And for the most part, they get it right."

Sullivan: "And Representative, I'm not trying to disparage judges, by any means. I'm just trying to figure out the best avenue for an appeal I think is with the people that would understand

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

or have a better understanding of the issues at hand than a simple is this, you know, a legal thing or not. So, thank you. I do appreciate your candor and your comments. Ladies and Gentlemen, ultimately, we're trying to get rid of this commission. And it's just a little chipping away and chipping away and chipping away until ultimately the goal is to not have the commission, not have charter schools and only have the public institutions teach our children. There are a lot of good charter schools and we have to acknowledge that there's a lot of good charter schools. People need an avenue to appeal bad decisions by local school boards. We're getting rid of an area, an avenue of appeal, to experts on bad decisions and turning it over to the judges. I don't think that's the way to go. I think we should keep it the way it is. Let it work its course and move forwards with charter schools that are good. So, I urge a 'no' vote."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. A few questions of the Sponsor."

Speaker Lang: "Sponsor yields."

Sandack: "Chris, I want to make sure we start something off. There was an answer to a speaker a while ago in which you said, you trusted the elected school board members. In CPS, those are not elected school board members, are they?"

Welch: "Well, they're not. But we can deal with that issue later."

Sandack: "Thank you. With respect to charter schools, they're public schools, correct?"

Welch: "They are."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Sandack: "Thank you. You were talking about the hard work. And by the way, I have no doubt this has been a labor of love and other adjectives with respect to your endeavors."

Welch: "It's been an experience."

Sandack: "The Governor... yeah, I bet. And by the way, I respect what... you know, your process. I think, you've been open. However, the Governor has reached out and offered a fourth Amendment, and actually, I'm the Gentleman that filed it, in an effort to try and find common ground, true common ground here. Have you seen that Amendment?"

Welch: "I have not... The fourth Amendment that you filed last week?"

Sandack: "Yes, sir."

Welch: "I have seen that Amendment."

Sandack: "And is that not an attempt in at least to maybe find a path of conciliation towards getting... by the way getting rid of the clear tension with respect to your Bill as it exists right now."

Welch: "Representative, before you filed that Amendment last week, I met with the Governor himself. I met with Mrs. Purvis. I met with Ms. Roach. I met with numerous people in the Governor's Office in an attempt to negotiate. That's why we passed the Bill over a couple of times. I think, and a number of people believe... I've talked to colleagues around here that the Amendment that you filed is worse than my Bill. And what that Amen..."

Sandack: "Well, I guess it's eye of the beholder, right?"

Welch: "...what that Amendment would do is create a process where people can appeal directly to the Charter School Commission."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

They can grant a charter application and then the state would fund the schools at 100 percent. All that would do is lower GSA and local... local districts would receive less money. That would defeat the purpose."

Sandack: "Well, we..."

Welch: "That's not what we're trying to do here."

Sandack: "Well, that's... listen, Chris. Lowering GSA or not lowering GSA, we're talking about public schools, whether it's the public school or it's a charter school in the same district. They're both public schools, right? And the idea, ultimately, is value ethicacy. What's doing the best job for kids? And I think there is a... an abundance of evidence... you've mentioned two situations, but I think the overwhelming evidence is that the charter schools have done an excellent job. And to the commission, which I think you're trying to divest of some powers, in the past four years the commission has only approved 2 applications of 42 submitted. I say that's pretty judicious. What do you say about the ethicacy, given those numbers?"

Welch: "I think that that says 38 local elected school boards got it right. And that data should be used to support your 'yes' vote here today."

Sandack: "Well, then the system... and that's an artful answer to the system's working. And I don't... I don't know why you want to get rid of something that's working. And you're trying to put a shortcut in and go right to the courts. You're a litigator and you're a fine lawyer. You know the courts are pretty congested, and pretty... and pretty slow at adjudicating people's rights and responsibilities. Chris, what's work..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

it's working right now, so why do you want to throw it into the courts where it's only going to get slower?"

Welch: "You said a lot there, Representative."

Sandack: "I did."

Welch: "And in my experience with judicial review has not been a slow convoluted process. I think the judicial review process works well. That's why I proposed it. I think this is a good Amendment and it makes for a better Bill."

Sandack: "Just a couple more questions and I appreciate your answers. What suggestions would you have, Representative, for parents who want a high quality school for their district, for their kids but can't afford to move or pay for private school for their child?"

Welch: "I'm sorry. Can you repeat your question?"

Sandack: "Yes, Sir. What suggestions do you have for parents who want a high quality education for their child in their district but can't afford to move and can't afford to pay private tuition? What suggestion do you have for them?"

Welch: "I think they can do two things. In my community and in your community just a couple of weeks ago, voters went to the polls and elected individual school board members. They should be active in their communities and make sure their locally elected school boards hear their concerns, number one. Number two, if they don't, they have an opportunity under this Bill to put it on the ballot, go to referendum, let the whole community speak on it. I think that's a great way to get parents involved."

Sandack: "And again, those wonderful suggestions don't apply to CPS schools where most of the charter schools..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Well, maybe we should talk about that."

Sandack: "I'd love to. And to... thank you for your answers. To the Bill. Ladies and Gentlemen, this is a prime example of a solution in desperate search of a problem. The Sponsor subtly admitted that the system as it presently exists is not problematic, that there is no issue going unattended, that there isn't anything wrong with the current status of charter schools in the commission's powers. This is a bald, completely bare power attack. This is an attack at the commission based on some constituencies that plainly and unequivocally do not like charter schools because they're threatened by them. Folks, the charter school system is working. It's working in typical neighborhoods where there aren't choices in the public school system. And the Sponsor's request that we maybe work on a school board election Bill, notwithstanding. Voters have no right in the City of Chicago except to vote with their feet or pocketbooks and some can do neither. The idea of a charter school being in district that isn't an application other than a lottery gives families hope for their children. The system is working. There is data and analytics that prove that. This is a bad Bill. This is an attack on charter schools. We've seen this attack before. It's failed before; it ought to fail right now. Vote 'no'."

Speaker Lang: "Representative Moeller."

Moeller: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Moeller: "Thank you. In regards to the Bill, what... under the current drafting, what would... what does the appeal process look like if a community group or a group of parents wanted

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

to bring a charter school to their district and the charter was denied by their school board. Under your Bill, how does that process work?"

Welch: "Under the local... under House Bill 397..."

Moeller: "Correct."

Welch: "...parents can file an application through a boards stated process. If the board denies it, they can go for a judicial review."

Moeller: "Okay. So, under your proposal instead of going to the Charter School Commission, it would go to a judge to determine..."

Welch: "Correct."

Moeller: "...whether or not the charter would be granted?"

Welch: "Yes."

Moeller: "With this change, what is the estimated affect in terms of time for the appeal and cost to the group bringing the appeal?"

Welch: "I don't have an estimate, Representative. I can tell you in my experience as a lawyer, the judicial review proc... the judicial review process works. It hasn't taken very long at all. And I think this is a very fair compromise."

Moeller: "So... but there... but there's no specific estimate in terms of if there would be an additional cost and/or time delay, if the process were to change under your Bill?"

Welch: "No."

Moeller: "Okay. And you mentioned that, and it's spelled out in the Bill, that there are certain conditions in which the Charter School Commission would review an appeal under your... in your Bill. What are those conditions?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Well, the Charter School Commission can still hear an application when a local school board fails to make a decision on a charter proposal. And there's also occasion where there's multiple school districts that like to go in together and apply for a single charter. So, when a charter is proposed jointly by two or more districts, they can go directly to the Charter School Commission. Charter School Commission still plays a role. That is why in my Bill I have not advocated for its abolition. But I believe that that's what it should be limited to."

Moeller: "But it's safe to say that it would have a much more limited ability in terms of reviewing the majority of applications or appeals that would come to it, correct?"

Welch: "Yes."

Moeller: "Okay. And I know also that there's a referendum. There would be a referendum requirement if... if the local school board were to reject an application. Is that after the judicial review or is that in lieu of judicial review?"

Welch: "You can do both."

Moeller: "So, they would have the option?"

Welch: "Absolutely."

Moeller: "Okay. And that's five percent of registered voters..."

Welch: "Yes."

Moeller: "...in a community? Okay. All right. To the Bill. I have concerns about the additional burdens that this Bill would place on parents, community organizations who are trying to bring a high quality charter school to their community. I personally was involved a couple of years ago in my community in bringing a non-profit community led charter school that

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

was rejected by the school board in my community, was appealed to the Charter School Commission, was also denied based on the merit of the application, but there was an appeals process that was available to parents and community members who sought to bring this charter school to... to my community. I'm concerned that the change in the process would be a deterrent for future applications that are made by community groups and parents that the... the conditions that have to be met would be too burdensome, the cost would be burdensome for families who want to support and bring a charter school to their community. And I think that based on the experience that I had with the charter school in Elgin that the process does work. And that there is not a need to change the way that we currently review charter schools in Illinois. I serve on the elementary school charter school commission or committee. And we are looking at ways to ensure that charters are providing high quality education to students here in Illinois and I support those efforts. But I don't believe that making it more difficult to bring high quality charters to school districts where parents are in need of options is the right approach. And therefore, I urge a 'no' vote. Thank you very much."

Speaker Lang: "Representative Sosnowski."

Sosnowski: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sosnowski: "I just want to quick, maybe one or two questions, follow up on this question of judicial review. I guess I'm confused by this because we don't authorize the local courts by law and I know judicial activism, you know, that maybe they would make decisions in one way. But what exactly would

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

the judges be able to rule on in... in this judicial review? I mean, what items would they be able to consider as part of the application?"

Welch: "Well, the local elected... the local school board has to publish a process that applicants must follow. And what we're trying to ensure is that the application was given a fair process. If they don't believe they were given a fair process, that is subject to judicial review."

Sosnowski: "Okay. I think I understand. So in judicial review, they would be allowed to look at if public notices were done right, the meetings were properly run and documented. They'd be able to look at you know, different procedural issues. But they would basically just be looking at if the school allowed the application to be held properly. Am I phrasing that right?"

Welch: "Yes."

Sosnowski: "So, and I guess that's my... to the Bill. Just my concern with that the judicial review would only look at the technical parts of the appeal and... or the denial in the technical parts of the application. But judicial review is... doesn't look at the merits of whether the charter school is good or bad. So essentially then there is no appeal process. So let's say the charter is a quality charter, it's one that's been proven, that operate now, that many locations, they got denied by a community. The judicial review could look at, well, did they take the minutes, did they have a proper hearing, did they take the vote right, but the judges aren't going to jump in on whether or not the charter is good or bad. They're just going to say whether or not the application

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

process was followed. And so, in essence, we've eliminated the review process or the appeal process, and there wouldn't be one. So I would suggest everybody please vote 'no' on this. Thank you."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, there have been a lot of Members speaking on this issue since you gave your opening remarks. Can you just remind us exactly what you're trying accomplish here?"

Welch: "Basically, Representative, what I'm trying to do is respect and honor local elected school boards in the decisions that they make. And what House Bill 397 does is it... it does that. It empowers our locally elected school boards. If an application for a charter school is brought before them, they can approve it or reject it. And if the local school boards decision is to deny, it can be taken into court for judicial review. But their decision is their decision."

Davis, W.: "So even outside of judicial review, there's still mechanisms in place before judicial review that the local commission or the Charter School Commission can authorize a charter, correct?"

Welch: "Well, the community can... they can bypass the local school board and go straight to a referendum."

Davis, W.: "Yeah, right."

Welch: "And if that referendum passes, it's binding on the school district. They can do that. There's also, you know, if they

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

apply and the school board just fails to respond to their application, they can go to the charter commission."

Davis, W.: "Right. So, it sounds like you're empowering the local community to make a decision that's best for them, correct?"

Welch: "Absolutely."

Davis, W.: "So, what I think some Members don't quite understand in this whole debate is that particularly if the school is welcomed... if the charter school is welcomed by the district that means the district has figured out how to embrace the charter, maybe even house the charter appropriately, so that it's not an overburdening financial obligation to the district. But in situations where that's not the case, and maybe some of you don't care about that, but if the local school district denies the charter and it's brought online by something other than the local school district, they can get up to 80 percent of that district's funding. So for those of you who are making it sound like charters care about the school district in which they are being put in, how can they care if they're going to take 80 percent of the funding away from the regular school districts? So what do the other kids do? What are they left with? If they are only getting 20 percent of the state funding that allows them to operate as a school district? So you want to respond to that, Representative?"

Welch: "I actually want to respond to that just as you're saying 80 percent of a district's funding?"

Davis, W.: "Eighty percent."

Welch: "We just heard three weeks ago about the disaster in Lake County. The feeder school districts did not want a charter

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

school in their community. The Charter School Commission plopped that charter, Prairie Crossing, into their district. And they received... they being the charter... received \$3.1 million of the districts \$3.5 million in state aid."

Davis, W.: "Absolutely."

Welch: "I think that's a little bit more than 80 percent."

Davis, W.: "Right. And..."

Welch: "And that's devastating to a local school district."

Davis, W.: "And it appears that some people will argue that the charter commission is making what they think is the best choice for educating children in the district. And I don't think we're debating whether or not a charter school can or cannot appropriately educate a child. But when we're looking at what the impact of a charter school is in a district, 80 percent of a school's local state funding goes with the charter. Goes with them. That's automatic."

Welch: "Automatic."

Davis, W.: "The local district has no fight against that. They don't have a choice but to give them 80 percent of that funding. So, again, what about the remainder of the children in the district? They're just left with... I won't say nothing, apparently there's something there, but we have to recognize that the Representative's Bill is not about trying to limit choice. I think some people would like to argue that. It's not about limiting choice. But I think, ultimately, we have to recognize in this process the impact of what that choice could mean. So in a district that's primarily reliant on state funding, their general state aid money primarily come out of that formula, 80 percent of it has to go with the charter.

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

That's... to me, that's problematic. And we aren't talking about that. We're just talking about those of you who think that choice is the best thing. And besides, if I'm not mistaken, charter schools were meant to be incubators, where all the great ideas were supposed to germinate out of and then, once that happened, those things were supposed to feed back into the regular school district and possibly that charter might even go away because now we're providing the best education for our young people in that district. Clearly, that doesn't happen because, I think, now charter schools are a money maker. We've seen where they can be profitable, we've seen where corporations have bought into it, and I think we've completely gotten away from what a charter school was supposed to be in the first place. So under this situation, I think the Representative is getting it right. He's not taking away choice. He's not taking away ability of a charter school to come into his district, but hopefully, he's making sure that those that want to step in that direction are doing everything possible to make sure that they are putting forth the best application. Well, making sure that in the grand scheme of things that the rest of the district does not get left behind. We have to be careful about that. We've seen evidence of that. The Representative just talked about a situation where out of 3.5, \$3.1 million is going to the charter school. What about the rest of the kids, Ladies and Gentlemen? Support the Gentleman's measure."

Speaker Lang: "Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. And actually, to the discussion about education in general. The bottom line here

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

is that ideally in education, we need to get to the point where we are funding children and not systems. That's where we need to go. Now whether or not you think charter schools are good or bad or they have a mixed record. And I would agree, absolutely agree that charter schools have a mixed record out there. And if you want to talk about the funding of charter schools as it relates to the bigger idea of how we're going to fund schools in the future, that's an entirely another discussion. But the truth is, until we get to the system where we are actually funding students, like we do in the case of math grants, and not just simply systems, then we're not really having an honest discussion about where education needs to go. So in the absence of that, what has arisen is the idea of a charter school. Why? Because it provides a competitive... a competition in a market where you have a monopoly. A monopoly run by large public sector unions that are responsible for funding a lot of the politics in this state. And quite frankly, in many of our cities, the results of that large monopoly are indefensible. For example, if we simply look at the City of Chicago, their graduation rate, 81 percent. The number that are actually ready for college... and this is straight off that ISBE website... the number that are actually ready for college, 27 percent. If you look at the Muchin Charter School in the City of Chicago, which I have visited, you have a 93 percent graduation rate, much larger than 81 percent, but you have 58 percent of them that are considered college ready. Because what do we know, when you introduce competition, you get a better result. And that's what the charter school system's about. So until you

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

guys are really ready to have that real discussion about funding children through a voucher system, through... through tax credits, through all other mechanisms that actually fund children and not systems, then you're still going to have find a way to introduce competition to get a better result. And the truth is, is that I understand what the Representative is trying to do here, but really the end result is to kill off charter schools. And they're our only mechanism right now to introduce any level of competition into a monopolistic system. So please vote 'no'. Let's go back and talk about how we can really help our children and come up with a different funding formula. Thank you."

Speaker Lang: "Representative Golar."

Golar: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Golar: "Representative Welch, I think you've done a good job in trying to make sure that we the Body understands exactly what you're doing, but I have a question."

Welch: "Yes."

Golar: "You actually stated that it would be up to the local school board to make that decision. Is that correct?"

Welch: "That is correct."

Golar: "Well, in Chicago, we have local school councils. How would that affect them?"

Welch: "Well, under this Bill the Chicago Public School Board would make the decision. They're a local board. They're granting charters now and they can continue to grant charters or deny charters. The local school..."

Golar: "You mean the local school board of CPS..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Yes."

Golar: "...would make that decision?"

Welch: "Yes. They're making it now."

Golar: "But the commission, you stated, was doing... was making the decisions on this, not the local school board of Chicago."

Welch: "Well, the... the Chicago Public School Board is an authorizer. And under current law, if the Chicago Public School Board rejected an application they could go to the Charter Commission. Under my Bill, whatever the decision of the Chicago Public School Board is, if it's rejected, they can go to judicial review. If it's accepted, it's implemented, just like it is now."

Golar: "Well, being that Chicago is such a large... we have 400 thousand students there and we have a large amount of charters. Do you believe that there is an issue in regards to charters? The prior speaker spoke about that charter schools have shown that they do a better job than the regular public schools. Do you agree with that?"

Welch: "I think there are some charter schools that do a superb job. I've toured charter schools and some of them do a fabulous job. But the data is showing on the... on the grander scheme of things, they're not doing much better than the regular public schools."

Golar: "So, do you have any data on the schools that are doing well across the State of Illinois on charters? And if you can tell me what geographic area has the larger... the largest amount of charter schools."

Welch: "I don't have data on the schools that are performing well with me, but in regards to your second question..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Golar: "Let's look at your... your district, Representative."

Welch: "In my district?"

Golar: "Yes."

Welch: "We don't have any."

Golar: "You don't have any?"

Welch: "No charters in my district."

Golar: "Okay. And in the southern part of Illinois, are there any charters?"

Welch: "Well, let me answer it this way. Chicago currently has 51 active charter schools and the cap is 75. So they can have 24 more charter schools under existing law. Downstate has 14 active charter schools and the law allows 45. So there... there can be 31 more downstate charter schools."

Golar: "So, Representative, I believe, in looking at the charters, do you not agree that we need more equity in our public school system? To... I know, one of the Reps spoke and spoke about how well one school is doing in proportion to another, where in many of our schools we're only getting like 7 or 8 thousand dollars in state aid funds, whereas New Trier, I think that was the schools that was brought up and they're getting like 18 thousand per student?"

Welch: "I definitely agree that we need more equity. I think equitable funding is a major issue. I commend Representative Will Davis for leading that charge on this side of the aisle. And I certainly hope that something results on that before we leave here this Session 'cause equitable funding is key."

Golar: "Well, I would ask the Body to support your legislation. I think that you have done a good job in terms of trying to

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

make sure that there is an equalizer in this and that it's under local control. Thank you."

Welch: "Thank you, Representative."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. I'd like to request a verification should this receive the required number of votes."

Speaker Lang: "Thank you, Sir. Your request is acknowledged. Representative Mayfield."

Mayfield: "Thank you. Does the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Mayfield: "Representative, as a former school board member, you know, we know that you care about children. So for anyone to say that your interest is not about the children then that would just definitely be a disservice. A couple comments were made. One of them was that this Bill would actually cost families money. Well, what is your response to that?"

Welch: "I think..."

Mayfield: "You know, let me answer that for you, Representative, because..."

Welch: "Please."

Mayfield: "...I was involved in a charter school that we were actually trying to put together in my district. And the answer is... is doesn't cost the families anything to advocate for a charter school. Not one cent. It does cost the organization wanting to come in some money, but it doesn't cost families. What does cost families is when your taxes go up because you're trying to make up for the inequity in the school funding that is received. And you mentioned Lake County,

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

specifically, and there are two charter schools in my district and a third one that's currently under review for coming in my district. So this is nothing new for me; however, I want to talk about performance because some... it was mentioned that we need competition. Well, when the local school district is outperforming the charter school, I think we have a problem. And that's currently what's happening in a lot of districts. And I do believe that when that does happen, local control should have the opportunity to step in and do something about it. They have the opportunity to make changes within the public schools that are under their jurisdiction. However, they don't have that opportunity under the charter school and they should. And the one thing that this Body talks about constantly is local control. What this Bill does, and correct me if I'm wrong, it gives local control to... back to the school. Is that correct?"

Welch: "That's correct."

Mayfield: "All right. And this Bill also defines a non... a nonpartisan objective third party that has noth... no ties to charter schools to look at and review those that are being contested, correct?"

Welch: "Yes, that's correct."

Mayfield: "Thank you, Representative. I think you're doing a great job. I think this Bill is the way to go. I definitely believe that local control is the answer. And I urge an 'aye' vote. Thank you."

Speaker Lang: "Representative Hernandez."

Hernandez: "Thank you, Speaker. May the Representative yield?"

Speaker Lang: "Sponsor yields."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Hernandez: "So, I just have a question regarding the judicial process that you have added into your Amendment. Can you please perhaps tell me a little bit of how... how long the process in the judicial system as opposed to the commission would take?"

Welch: "You know, I don't really have a specific time estimate. I can only say that in my experience with judicial review, the process works and it's not very time consuming."

Hernandez: "Would you... would you say that it would be a longer process if we were to submit this to the judicial courts?"

Welch: "I don't necessarily agree with that. I think it's possible that it would take longer going before the commission."

Hernandez: "Eliminating this authority from the commission, would you... what would you say the commission has left to function?"

Welch: "Well, I think the commission still functions in a very important advisory role. You know if local applicants want to go there for advice, they certainly can do that. But under this Bill, remember, the Charter School Commission still has a role in granting charters in the examples that I've given. It's not abolished. That's very important. It's not abolished. It still has a legitimate legal role."

Hernandez: "Yes, but it eliminates a process that gives especially to those charters that have proven to be very good quality, successful charters to cont... it eliminates that sort of possibility. To the Bill. Last Session, I had stepped up and spoke about a specific reason why I opposed this Bill and that is, I have been trying to open up a charter school within my district and this has been for five years. I have started from the very get go working with the board, the local board,

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

because and what... how I believe, it shouldn't be two separate but a complementary to the district. Charters should be working with the public school system to fill in those gaps. When I campaigned, that was the number one issue within my district, that there needed to be further work with the school district. The inequity of funding was a problem. The choices that the school board was taking to minimize the graduation credits and putting the school district at the bottom, giving them not enough competition, a lot of decision-making. So, the charter school became an option to some of the constituency within my district. And I have been fighting to make... to open that charter school. This particular charter school would only allow 750 students from a school district, District 201, that's over 8 thousand students. What would occur here, and this 750 students that the charter would take in, would be on a yearly basis. So it wouldn't start off that way. But the budget... the budget that District 201 carries is just close to \$100 million budget. And we're talking about a charter that may... may possibly reach 7 million. It's just... well, you do the math. This would not be something that would really hurt in such a significant way with the school district if we had cooperation. I urge you that... to vote 'no' for the reasons of having an appeal process in place that is already working. Thank you."

Speaker Lang: "Representative Jesiel."

Jesiel: "Mr. Speaker, I'd like to call question."

Speaker Lang: "Lady moves to call the previous question. Is there leave? The previous question is put. Mr. Welch to close."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Welch: "Thank you, Mr. Speaker. I've heard the debate here today. I've worked very hard on a Bill that I think should be real easy. It should be an easy decision for every single person in this chamber. We are sent here to represent our communities, each and every community across all of our districts. House Bill 397 recognizes local school boards and the decisions they make. Local control and empowering local communities should be something that we all embrace. I've had people from the other side of aisle tell me that I should compromise more. Representative, you should take a lesson from Lincoln. Read Lincoln's *Lincoln on Leadership*. I've read that book three times. This Bill has compromise language in it. I have listened to every single person who came into my office to meet and talk about this Bill. I've made changes even when they wouldn't suggest changes. And I'm willing to continue listening to people even when this Bill is over in the Senate. However, I believe the current Bill before us, as amended, is a good Bill. We were just reminded at our inauguration on January 14, that President Abraham Lincoln once said, be sure to put your feet in the right place and then stand firm. This Bill is right for Illinois. This Bill is right for your local communities. This Bill is right for your local districts. Stand firm, Republicans. Stand firm. Fight for your communities just like I'm fighting for mine. Don't be scared to do what's right. I've read the Governor's turn around proposals. Not one single mention of charter schools in the Governor's turn around proposals. Stand firm. This is the right thing to do for our local districts. Stand firm, Democrats. Fight for our districts. Stand up and stand

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

tall, just like President Abraham Lincoln. Stand for our children by voting for local control. Advance Illinois by voting to allow local communities to decide what they want in their communities. Do you think what happened in Lake County was right for that community, \$3.1 million out of 3.5 going to a charter school? All that's going to do.. or would have done is lead to higher property taxes when the local school board has to make up for the poor decision of the Charter School Commission. Stand firm, stand firm, stand firm. We all have to stand for something or we'll fall for anything. I ask for an 'aye' vote on House Bill 397."

Speaker Lang: "Gentleman moves for the passage of the Bill. The reminder, Members, Mr. Demmer has asked for a verification. So Members will be in their chairs and vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Acevedo, Arroyo, Brown, Davidsmeyer, Dunkin, Fortner, Hays, Mitchell, Pritchard, Thapedi. Record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 61 voting 'yes', 40 voting 'no', 2 voting 'present'. And Mr. Demmer has asked for a verification. Staff will retire to the rear of the chamber. Conversation will cease. Members will be in their chairs. Mr. Clerk, please read the Affirmative Roll."

Clerk Hollman: "A poll of those voting in the affirmative.
Representative Acevedo; Representative Ammons;
Representative Beiser; Representative Bradley;
Representative Bryant; Representative Cassidy;
Representative Cavaletto; Representative Chapa LaVia;

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Representative Cloonen; Representative Conroy;
Representative Costello; Representative Currie;
Representative D'Amico; Representative Monique Davis;
Representative William Davis; Representative DeLuca;
Representative Dunkin; Representative Evans; Representative
Feigenholtz; Representative Fine; Representative Flowers;
Representative Ford; Representative Franks; Representative
Gabel; Representative Golar; Representative Gordon-Booth;
Representative Guzzardi; Representative Greg Harris;
Representative Hoffman; Representative Hurley;
Representative Jackson; Representative Kifowit;
Representative Lang; Representative Lilly; Representative
Martwick; Representative Mautino; Representative Mayfield;
Representative McAsey; Representative Meier; Representative
Moylan; Representative Mussman; Representative Nekritz;
Representative Phelps; Representative Poe; Representative
Reaves-Harris; Representative Reis; Representative Riley;
Representative Scherer; Representative Sims; Representative
Smiddy; Representative Soto; Representative Tabares;
Representative Thapedi; Representative Verschoore;
Representative Wallace; Representative Walsh; Representative
Welch; Representative Williams; Representative Willis;
Representative Winger; Representative Yingling."

Speaker Lang: "Mr. Demmer."

Demmer: "Representative Dunkin?"

Speaker Lang: "Mr. Dunkin. Mr. Dunkin, are you in the chamber?
Mr. Clerk, remove Mr. Dunkin."

Demmer: "Representative Monique Davis?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Representative Monique Davis is in the rear of the chamber. Mr. Demmer. Gentleman has concluded his verification. On this question, there are 60 voting 'yes', 40 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Andrade is recognized."

Andrade: "Point of per... point of personal privilege, Mr. Speaker."

Speaker Lang: "Proceed, Sir."

Andrade: "I just... I want to... I came down here to speak on behalf of my constituents, but I just... I want people to really think before they move the previous question. I know there's a procedural move to call for a Roll Call vote on a procedural moment, but everyone, if I may, just indulge... entertain me. Mike, I don't believe my local community is represented because I have local community who are just residents. And when you're given a referendum, residents who are undocumented cannot vote on that referendum. If we're talking about a procedural, then we should stick to the procedural of the Bill. I just... I just wanted to express that. I just want to say that my immigrants and your immigrants are... their voice are taken away by that Bill that just passed, you know. Thank you."

Speaker Lang: "House Bill 264, Mr. Sosnowski. Please read the Bill."

Clerk Hollman: "House Bill 264, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "Thank you, Mr. Speaker. This Bill was brought before us last year. Ran into a little hiccup in the Senate, just in

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

regards to some language clarification. Has to do with vending machine licensing and whether or not pet washing stations are included under the Vending Licensing Act. So, this would clarify to take care of some of the concerns that were brought up in the Senate. It was clarify that local municipalities or jurisdictions have ultimate authority on whether or not to allow these in their community or not. And I'd ask for an 'aye' vote."

Speaker Lang: "Mr. Moylan."

Moylan: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Moylan: "Mr. Sosnowski, could you please describe for the Membership what this device is?"

Sosnowski: "Yes, absolutely. Much like any other vending machine, it would be plugged into electrical and water. This is actually a self-contained unit. Many of the Representatives here have these within their jurisdictions now. It allows for individuals to bring a pet, self-contained, and it's a washing and drying mechanism. And right now the issue and why this needs clarification is because certain municipalities consider it a vending license... a vending machines and some don't. So we're looking to streamline this through the state statute."

Moylan: "Mr. Representative, when I think of a vending machine, I think of a machine where you put in a dollar and out comes a bottle... a can of pop, a can of refreshments, a bag of potato chips, or a go to like Jewel or Dominic's and they have this box that you put in a dollar or two dollars and get a movie out. I don't think a vending machine is a place where you

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

actually have a dog and a human and they're interacting, and I don't see how you could kind of consider this a vending machine. Could you please explain to the Membership the difference? I don't see where you put a dollar slot and out comes a dog... a dog washing facility. And sometimes when you go to wash vehicles, they have the big sprayer. I mean, what do you do with the dog? Do you put a thing around its neck to hold them and then out comes this machine then you put in foam, rinse? Please explain how this thing works."

Sosnowski: "Yes. Representative Moylan, I know one day you will be a supporter of this Bill, so I'm happy to indulge you in your questioning. But as with any other vending machine whether it's giving out movie theater... movies, or coffee, you know, the idea of the vending comes down to a transaction is made with a machine, dollars or change put in, something comes out. Similar to a photo booth, you know you're not receiving a movie or a beverage from that but you're putting money into a machine that takes money... a service or a use is set out. So this qualifies under that. And again, there's no real concerns with these, it just comes down to whether or not these... some communities are doing it one way, some are the others. So, you know, we'd like to clarify that across the board."

Moylan: "Could you please explain to the Membership the sizes of these devices that are to be considered a vending machine?"

Sosnowski: "Yeah. They range in size a little bit. You know they'd probably be... but I guess for just visualization sake, maybe twice as large as a Redbox machine. But they vary, some are larger, some are smaller. And it just really depends on what the... you know, the person who is looking to locate that orders

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

up through the company. But you know, large enough to wash an animal in."

Moylan: "Right. But would it be hard to get a human being, maybe one or two human beings, and a washing device into a machine that's twice the size of a Redbox? One of the issues I have, I have no issue with what you're trying to do, but I have an issue with calling it a vending machine. Now isn't it true that if they put these portable units that they're not applicable to the Tax Codes, that they would not have to pay real estate taxes on these devices?"

Sosnowski: "They're applicable to all local requirements. There's whether it would be plumbing licensing that would be required they'd have to meet. There's electrical code licensing, location and zoning set... you know setbacks and things like that would still be applicable. And again, if municipalities don't want to allow them they can simply say, no, we don't allow these types of machines. The other reason that they are a vending machine and should be classified that way is they are literally brought in, dropped off, plugged in, they're set to go. And people do not go inside them. You know, they're... It's for placing an animal. The machine washes, dries, and does all this stuff. You know, it's not for multiple people to be inside of."

Moylan: "Why is the Licensed Beverage Association opposed to this... opposed to this Bill?"

Sosnowski: "I don't know of anybody that was opposed to it. I think there was some misunderstanding where the license beverage organizations were talking about some part or they were looking at some part originally in regards to some

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

ancillary language that didn't really apply to this. I don't know of any objection that they have right now."

Moylan: "Right. Well, do vending machines pay real estate taxes? I don't know of any vending machine that pays real estate taxes. Generally a facility that washes dogs or does dog grooming pays some real estate taxes. My issue is that I'm saying that this company is promoting the use of this device. They're calling it a vending machine and not having to pay required real estate taxes. And to say it just comes in and plugs in is not actually ingenuous because you have to have a backflow preventer, you have to have ground fault protection. These machines are not a vending machine, especially when you have human use with electricity and water."

Sosnowski: "Literally, when these are set up, removing them from the truck and plugging them in takes 30 to 40 minutes. So they are literally dropped off and plugged in. They don't... they don't supersede any of the requirements as far as water, electro... electricity. There is no issues with sewer discharge or anything like that. It's just, you know, soapy water that's run out onto the ground... or in. And it's all... they have to abide by EPA standards, you know, so they're following every letter of the law that's out there, all the requirements of the local jurisdiction, all the requirements of the EPA. There's nothing that preempts them from any of that within this legislation. This just comes down to clearing up that confusion as far as how they're classified. And one other comment in regards to the real estate taxes, the property owner, just like any other vending machine, where that's

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

located pays taxes on the property. So that could be part of the assessed value, but that's up to the local assessors to determine the value."

Moylan: "Right. But facilities that have dog walk... dog washing, dog grooming, they're already in a location that have to pray... pay property taxes. And to say that this is just a unit where the water, the soapy water and used water, will go into the ground or into some place is not correct because that water has to go into some place and has to be hooked up according to the plumbing code. So, it can't just go anywhere."

Sosnowski: "Was there a question, I'm sorry?"

Moylan: "No. I would urge the Membership to please look into this more than it's described. This is not a Redbox. This device can be as long as 20 feet by 8 feet. It's certainly is not a vending. And I urge an 'aye' vote. Thank you, Mr. Representative."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Mautino: "Representative, in our analysis, it lists the Licensed Beverage Association as opponents. Can you tell me what that's about?"

Sosnowski: "As the previous Representative mentioned that, too, I think that was inadvertent due to some other language that was previously in that. I don't know of any opposition. They've not contacted me with any opposition. And this doesn't... it doesn't affect them at all. So, you know, I apologize if that's still a misunderstanding, but I don't know of any opposition to this Bill."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Mautino: "Okay. Thank you."

Speaker Lang: "Mr. Sosnowski to close."

Sosnowski: "I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Drury, Jackson, Sims, Wallace. Mr. Sims. Please take the record. On this question, there are 78 voting 'yes', 32 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2657, Representative Winger. Please read the Bill."

Clerk Hollman: "House Bill 2657, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Winger."

Winger: "Thank you, Mr. Speaker and Members of the House. House Bill 2657 aims to remove barriers to help school districts recruit and retain out-of-state educators. It gives ISBE flexibility in its distribution of educator licensing fees. It also addresses ISBE initiatives regarding educator licenses, endorsements, professional development, criminal offenses, and physical and safety education School Codes. Proponents of the Bill include: ISBE's Statewide School Management Alliance Association of Regional School Superintendents and many more. I urge an 'aye' vote and may answer any questions. Thank you."

Speaker Lang: "Mr. Pritchard."

Pritchard: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Pritchard: "Representative, have you heard from some of the school districts that are having difficulty hiring competent teachers in certain fields and are trying to look outside the state for people that might be willing to move into Illinois rather than out of Illinois?"

Winger: "It... it certainly is always a challenge to recruit good talent so to make our environment more welcoming is always a plus."

Pritchard: "Thank you. Ladies and Gentlemen, to the Bill. I think the state board has listened to a lot of concerns that people have about people not being able to come into Illinois to teach. They've looked at a lot of the solutions and I think they've come up with a good package that the Representative has in this Bill. I would urge your support."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, is this an attempt to... to constrict who can be a school business official or does this open it up?"

Winger: "Can you word your question a little differently?"

Davis, W.: "Well, I mean, as I'm reading the analysis here, it says that... and I'll read it for you... with the Amendment, language clarifies that chief school business officials may hold an educator license with stipulations instead of a professional educator license. So, I mean, is this an opportunity to allow for more people with experience and expertise to be school business officials or does it restrict

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

it based on having certain criteria to be school business official?"

Winger: "It... yes, it opens it up."

Davis, W.: "It opens it up?"

Winger: "Right. It doesn't attempt to restrict."

Davis, W.: "It doesn't. Okay. Thank you very much."

Winger: "Thank you, Representative."

Speaker Lang: "Representative Winger to close."

Winger: "So in closing, I do urge an 'aye' vote. And many associations have supported this and I have witnessed an open forum as well in my district where this will certainly be welcomed. So I urge an 'aye' vote. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Breen, Davis, Nekritz. Representative Nekritz. Please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, we're going back to just a few Bills that we called already, Sponsors were off the floor. The first one, on the Order of Second Reading, is House Bill 3323, Mr. Acevedo. Out of the record. House Bill 2763, on the Order of Third Reading, Mr. Burke. Mr. Burke. Please read the Bill."

Clerk Hollman: "House Bill 2763, a Bill for Act concerning insurance. Third Reading of this House Bill."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2763 is very simple in its concept. It

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

provides that surgical assistants would be compensated to the level that they are contracting for. These are surgical assistants that are so necessary in our society today. As we understand certain areas of our state don't have enough physicians, M.D.s, to second in a surgery. Surgical assistants are very highly trained professionals that actually provide a savings to the consumer as a result of there being paid at a lesser compensation than an M.D. I'd be happy to answer any questions."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sandack: "Dan, I'm looking at the analysis and it shows certain insurance companies and the Illinois Insurance Association as opposed. Why are they opposed to your Bill? If you know."

Burke, D.: "You know, I don't know. I would think it would be more advantageous for these insurance providers to pay a surgical assistant as opposed to a fully licensed M.D."

Sandack: "Well, isn't it an either/or, or is your Bill trying to set a pay rate through legislation?"

Burke, D.: "We are not."

Sandack: "The analysis that I have states that it... this amends the Illinois Insurance Code and provides that payment for services rendered by a registered surgical assistant who is neither an employee of an ambulatory surgical treatment center nor an employee of a hospital shall be paid at the appropriate non-physician modified rate. How is it... help me out. Translate that for me."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Burke, D.: "I think it's rather confusing on this analysis. Surgical assistants, very often, are employees of hospitals. They are compensated at a standard rate, whatever their agreement is with that particular hospital. Other surgical assistants rotate and they are contracted for as individual contractors. That's what this addresses."

Sandack: "And sometimes they're not paid at the hospital rate. Is that what I'm taking away?"

Burke, D.: "That is correct."

Sandack: "Thank you for answering the questions, Representative."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Kay: "Dan, I'm just curious. If this Bill were to pass, how would this... or would there be a conflict with the Illinois Workers Compensation Act fee schedule?"

Burke, D.: "No, it would not affect that relationship because this was previously passed and is currently in place."

Kay: "Thank you, Representative."

Speaker Lang: "Mr. Thapedi."

Thapedi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Thapedi: "Leader, I noticed that one particular group that's very important to the surgical team is not mentioned in my analysis and that's the Illinois State Medical Association. Where do they stand on your Bill?"

Burke, D.: "They did not weigh in on this particular piece of legislation for some reason."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Thapedi: "That's interesting. Do you have any reason why they would not do that? I would think that the surgeons would want to know exactly the qualifications of those members that are all in the surgical suite."

Burke, D.: "Well, that would be their ultimate decision. Each surgeon would have the opportunity to either interact with that surgical assistant or avoid that person. So, as you would see, they are not opposed. So, I believe, that there's neutrality issue here."

Thapedi: "Thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sullivan: "Representative, there's times when insurance companies will contract with the surgeon for these services and they will pay them at that rate. These surgeons will then subcontract with some surgical assistants. How does your Bill change that contractual relationship that the surgeon has with the person they contract?"

Burke, D.: "It's probably a rather complicated issue, but I can tell you that most surgeries require the use of a first assistant to the surgeon who has historically been another physician or a resident. However, in non-teaching hospitals, they don't have access to residents and it's hard to find individuals to fill this role. So, the role typically has been filled by specially trained registered surgical assistants, which the state has licensed since 19... pardon me, 2003."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Sullivan: "And certainly I understand there's certain areas of the state where a lack of the talented people that we would have in a high level hospitals. I get that. But in those instances even, the surgeon is going to have a contract with somebody to assist them. And it could be the very scenario that you just laid out. And so, the insurance companies are paying the surgeon who then somehow has a relationship to pay the other person. But your Bill seems to say they're going to get paid at this certain rate which could then be in conflict with the agreement that have with surgeon. I'm just wondering how your Bill is going to affect that relationship."

Burke, D.: "I would think, Representative, your question probably would be directed to individual surgeons."

Sullivan: "Sure."

Burke, D.: "This Surgical Assistance Act has been in place since 2003. To my knowledge, we have never been presented with an issue that suggested any conflict between practicing surgeons and those that would act as surgical assistants."

Sullivan: "Well, the issue... and listen, I'm not trying to deep-six your Bill here. I just think you have a conflict within your Bill in specific cases that somehow needs to be worked out because what your Bill does is mandates that these non-physician certified surgical assistants be paid at the modifier rate... or non-physician modifier rate. That non-modifier rate might be higher, lower, or whatever than is in the agreement with the surgeon that they subcontracted out to. Typically, I bet you, they subcontracted at a lower rate. Don't get me wrong. But you are, in essence, now taking the state and intervening in a physician assistant contract. And

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

I don't know that's what you're trying to do, but it's not spelled out in your Bill; therefore, that's the net affect."
Burke, D.: "You know, I think I kind of know where you're going with this, but..."

Sullivan: "Sure."

Burke, D.: "...the Bill directs itself to non-employed by a hospital, non-employed surgical assistants."

Sullivan: "Sure. Sure."

Burke, D.: "These are independent contractors that however they..."

Sullivan: "Right."

Burke, D.: "...relate to that surgeon who hires them that is their business and that's not something that we would be able to address in legislation."

Sullivan: "Well, yes, actually you couldn't address it because then in that instance where there's an underlying contract between a surgeon and one of these, you know, non-surgeon... or non-affiliated, I guess is the best way to put it, that's the area where you're going into contract law and demanding a certain payment outside of what they're talking about. That's the conflict there. And specifically in areas where you are, I mean, you've even said yourself, where they don't have these types of affiliations and they need to bring in other people more specialized. And so that's where I..."

Burke, D.: "Well, they... they wouldn't have physicians, necessarily. There's not an abundance..."

Sullivan: "They might not."

Burke, D.: "...of practicing MDs."

Sullivan: "Right."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Burke, D.: "But there are sufficient numbers of surgical assistants."

Sullivan: "Okay. All right. Well..."

Burke, D.: "Who again... who are again a very highly trained..."

Sullivan: "For what it's worth, those are my concerns and maybe we can talk about them and adjust them in the Senate or if it gets out. I'm not sure what the vote's going to be, but thank you."

Burke, D.: "Okay. Thanks."

Speaker Lang: "Mr. Burke to close."

Burke, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a very basic issue with respect to the opportunity for individuals in our society to obtain high quality surgical care. It is the case, again, that throughout the state there are areas in our state who do not have the sufficient number of surgeons, MDs, to assistant in major surgeries. These surgical assistants have existed in our state since 2003. Again, they are very highly trained, competent individuals that our surgeons throughout the state depend on as a second in major surgeries. I would hope that either yourself or members of your family or and certainly your constituency depends so heavily on these individuals that provide this service. Again, we have a shortage in our state with medical doctors and these individuals, who for the most part come out of the military, I'd like you also know that, they are individuals who are highly trained and they should be compensated at a rate that is appropriate for the service that they provide. I'd be happy... I appreciate your support in this legislation. Thank you."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Drury, Gordon-Booth. Gordon-Booth. Please take the record, Mr. Clerk. On this question, there are 68 voting 'yes', 42 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 494, on the Order of Second Reading, Representative Cassidy. Out of the record. House Bill 4013, on the Order of Second Reading, Representative Feigenholtz. Out of the record. House Bill 1004, on the Order of Third Reading, Mr. Ford. Please read the Bill."

Clerk Hollman: "House Bill 1004, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lang: "Mr. Ford."

Ford: "Mr. Speaker, would you please move this Bill back to Second Reading? I have an Amendment to adopt."

Speaker Lang: "Mr. Clerk, please place this Bill on the Order of Second Reading and read the Bill. So, the Amendment was just filed, Mr. Ford, so this Bill will be held on the Order of Second Reading. House Bill 1380, Mr. Phelps. Mr. Phelps. Out of the record. House Bill 1646, on the Order of Second Reading, Mr. Sosnowski. Out of the record. Ladies and Gentlemen, we're moving on to a new priority list. We're starting with Bills on the Order of Second Reading. House Bill 1610, Mr. Pritchard. Please read the Bill. Excuse me, Mr. Clerk. Out of the record. House Bill 2636, Mr. Sandack. Please read the Bill."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Clerk Hollman: "House Bill 2636, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3404, Representative Chapa LaVia. Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 3404, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. But a fiscal note has been requested but not filed at this time."

Speaker Lang: "That Bill will be held on the Order of Second Reading. House Bill 3689, Representative Cloonen. Please read the Bill."

Clerk Hollman: "House Bill 3689, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Cloonen, has been approved for consideration."

Speaker Lang: "Representative Cloonen on the Amendment."

Cloonen: "Yes, Sir. I'm sorry. I thought that that was approved during the committee."

Speaker Lang: "So, you're prep... are you prepared to move on Amendment 2?"

Cloonen: "Yes, we can..."

Speaker Lang: "Please proceed."

Cloonen: "The Amendment stipulates that the placard for the disability will be accompanied by the person who does not have a driver's license. So the driver has to be accompanied

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

by the person who does not... who's not able to get the driver's license, in order for this to happen."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 4096, Representative Feigenholtz. Out of the record. Returning to House Bill 1610, Mr. Pritchard. Please read the Bill."

Clerk Hollman: "House Bill 1610, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Pritchard, has been approved for consideration."

Speaker Lang: "Mr. Pritchard on the Amendment."

Pritchard: "Yes, Ladies and Gentlemen, this has to do with an issue in my particular county where we're trying to deal with dogs that are running loose in the unincorporated area and we're trying to address that with this Amendment."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2755, Representative Golar. Please read the Bill."

Clerk Hollman: "House Bill 2755, a Bill for an Act concerning regulation. Second Reading of this House Bill."

Speaker Lang: "Representative..."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Clerk Hollman: "No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3528, Representative Hernandez. Representative Hernandez. That's the... 3528, Representative. Please read the Bill."

Clerk Hollman: "House Bill 3528, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3512, Mr. Martwick. Mr. Martwick. Out of the record. House Bill 3810, Mr. Riley. Please read the Bill."

Clerk Hollman: "House Bill 3810, a Bill for an Act concerning wildlife. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3841, Mr. Sims. Out of the record. House Bill 3687, Representative Wallace. Please read the Bill."

Clerk Hollman: "House Bill 3687, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Out of the record, Mr. Clerk. House Bill 2019, Mr. Zalewski. Please read the Bill. I'm sorry, Mr. Clerk, 2919."

Clerk Hollman: "House Bill 2919, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill... Floor Amendment #1, I wish to adopt. It becomes the Bill. It creates the

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

ability for judges to offer bond after 30 days in jail for a person accused of retail theft."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2474, Representative Nekritz. Please read the Bill."

Clerk Hollman: "House Bill 2474, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment 2, offered by Representative Nekritz, has been approved for consideration."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment 2 clarifies the underlying intent of the Bill which is to require counties to have a public meeting with the opportunity for public input before a budget is adopted."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. We're moving to Third Reading Bills now, Representatives. First Bill is House Bill 2502, Mr. Burke. Dan Burke. Please read the Bill."

Clerk Hollman: "House Bill 2502, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a matter that is strictly bookkeeping as

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

far as I would suggest to you. It has no opposition. All parties that have been affected have signed off and approved this. Talks about reporting dates and getting in line with proper reporting provisions including charter schools. So it puts charter schools on board with the traditional public school reporting. I'd be happy to answer any questions."

Speaker Lang: "Mr. Sandack."

Sandack: "Representative, I apologize. It was a little noisy over here, so couldn't quite hear what your Bill does. And without repeating every word you use, 'cause I don't wish to make you do anything unnecessary, can you summarize the Bill one more time, please?"

Burke, D.: "Certainly."

Sandack: "Thank you."

Burke, D.: "House Bill 2502 would require charter schools to certify to the fund the number of paid sick days received by a member. Under current law, charter schools in Chicago must participate under CTPF. CTPF has had issues in the past receiving certifications of payroll from charter schools. It's... it's just bookkeeping is what it is."

Sandack: "So, it's just parity making both organizations re..."

Burke, D.: "Report."

Sandack: "...offer the same information and report the same information?"

Burke, D.: "That is correct."

Sandack: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Chapa LaVia,

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Sullivan, Winger. Please take the record. There are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2580, Mr. Costello. Mr. Costello. Out of the record. House Bill 4049, Mr. Cabello. Please read the Bill."

Clerk Bolin: "House Bill 4049, a Bill for an Act concerning persons with disabilities. Third Reading of this House Bill."

Speaker Lang: "Mr. Cabello."

Cabello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4049 amends the Statute on statutes. It changes all occurrences of the physical handicapped to physical... persons with physical disabilities. Changes all occurrences of the handicapped or handicapped persons or handicapped individuals to persons with disabilities. The Bill changes... it's a 2 thousand page Bill. Again, what the Bill does is takes out physically handicapped, the handicapped, handicapping conditions, mentally and developmentally disabled all to disabled persons. I requestfully ask for an 'aye' vote and would be more than welcome to answer any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ammons. Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2543, Representative Monique Davis. Out of the record. House Bill 3133, Representative Will Davis. Please read the Bill."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Clerk Bolin: "House Bill 3133, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. House Bill 3133 amends the Illinois Health Facilities Planning Act to do several things. First, it codifies the practice of the Health Facilities and Services Review Board of accepting in-kind services to settle compliance matters. Further, it clarifies that the board specifies the format of the state board staff report rather than providing the forms. Thirdly, it moves a provision passed in the General Assembly requiring board members to provide their rationale when voting on items before the board meet... before them at the board meetings and specify that meeting transcripts become part of the board's final decision. Further, it clarifies that fines or sanctions applied to violations related to changes in ownership. It specifies that requests for an appearance before the board must be made within 30 days after receiving notice that a fine will be imposed. It also adds that when a facility becomes compliant with the act, fines no longer accrue. And it also does technical things related to duplicative language. I'd be more than happy to try to answer any questions."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sandack: "Will, I think this is a good Bill, but I have one question for you that I thought was interesting and maybe you could enlighten me. I'm looking at my analysis and it says

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

this... the changes to the... the review board were advanced by the Health Facilities Services Review Board and they're a proponent. But what I can't understand is why aren't they now providing rational decisions and enlightening people as to how and why they make decisions? Why do they need to change the law to do this anyway?"

Davis, W.: "Well, I... I think it's just a matter of clarifying and firming up why these things are necessary. I mean, I think you can appreciate that when things they come before this board they're sometimes technical in nature. I mean, we're talking about hospitals and health facilities. And I think it's just a matter of making sure that based on how the board feels about a particular facility that whatever their rationale is that it's clearly stated versus maybe conceptual in nature."

Sandack: "Amen. I'm glad. I think reasoned decisions and decisions make for better records should appeals and/or court cases follow. I just wish they'd do it now. I'm glad it's being codified. And I'm glad they sought it to be codified. I wish they just would have done it in the first instance. But thanks for carrying a good Bill."

Davis, W.: "My pleasure."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Bellock: "Representative, so is all the opposition off this Bill now?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Davis, W.: "Yes. The Amendment that was adopted dealt with the issues of the Hospital Association."

Bellock: "Oh, okay. Thank you very much. I appreciate that."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, this Bill doesn't abolish the Illinois Health Facilities Planning and Services Review Board, does it?"

Davis, W.: "No, it doesn't."

Harris, D.: "Well, that's too bad. Well, I do have a serious question though. It indicates that... my analysis indicates that the board may accept in-kind services instead of or in combination with the... with the imposition of a fine. What does that mean? In-kind services? What's sort of in-kind services would they accept when they impose a fine?"

Davis, W.: "Well, as I'm reading what was provided for me says the practice of the board has been to allow a non-compliant facility to provide in-kind services as full or partial payment of the facilities fine. The services provided enhance access to care for underserved populations and also promote population health in communities served by the particular facilities. In May of 2014, the Auditor General completed a performance audit and recommended that the practice of accepting in-kind services to settle compliance matters be codified in statute. And this is a response to that."

Harris, D.: "Okay. Thank you very much. Ladies and Gentlemen of the House, the Illinois Health Facilities Planning and Services Review Board is one of those anachronistic

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

throwbacks to the 1970s of central planning for health care and it should probably be abolished. But in the absence of abolition, this Bill probably makes it a little bit more.. a little bit more logical to the actions of the board. So, the Bill deserves a 'yes' vote. Thank you."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Franks: "Representative, I'm not sure what this Bill does. Does it require people who are on this board to explain their votes?"

Davis, W.: "Well, as I... as I stated earlier, it says requiring board members to provide their rationale on... when voting items before the board at meetings and specify that meeting transcripts become the board's final decision. According to what I was provided that this is a technical change and that the underlying language was due to an Appellate Court decision and was not controversial when passed last year."

Franks: "Why do we need legislation for someone to explain their rationale?"

Davis, W.: "Well, I don't think the legislation is for them to explain... necessarily, explain their rationale, but again, the first part of the Bill is responding... is codifying certain things that were required of them. And again, I think this particular provision was relative to an Appellate Court decision, where I guess, you know, someone sued the board and this is their response to what the appellate Court said as it relates to them clarifying their rationale for decisions."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Franks: "I... I appreciate that. I'm going... To the Bill, Mr. Speaker. Mr. Harris had alluded to this as well. This is a vestige of, I don't know, Soviet-style... Soviet-style central organization. It's worked so well in the Communist countries. They've done such a great job of rationing goods. The only rationale for the Health Facilities Planning Board is to curtail health service in the State of Illinois. Ladies and Gentlemen, the only thing this does is to reduce competition, create monopolies, artificially drive up prices, create crises in emergency rooms. It doesn't make any sense. Every piece of empirical evidence, the Federal Government, I believe it was the Attorney General, had come out a few years ago with a study showing how this is done only to limit health care. There is no reason whatsoever to allow this entity to exist. It should be killed. We need to give it a silver bullet. We need to put a stake through its heart. A vote for this is simply voting for lipstick on a very ugly pig. This is still a very ugly pig, no matter how much you dress it up. It is terrible public policy. A vote 'yes' is condoning the continuation of this rotten, broken system. Remember people went to jail because of this committee... because of this commission. It has been terrible. And now when we're talking about having them explain their votes because they've been sued. Well, of course, they're going to get sued, and they're going to continue to get sued because their only mission is to protect monopolies and to stifle competition. If you believe in a free economy, if you believe in business, you have no business voting 'yes' for this Bill. Please vote 'no'."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Mr. Leitch."

Leitch: "I certainly agree with the two previous speakers and I would like to ask the Sponsor, would you be kind enough to hold the Bill for another Amendment that would eliminate this horrible enterprise that we unfortunately created?"

Davis, W.: "Well, I would say, Representative, I'm not going to hold the Bill for that purpose any way. And I think you and I had a very similar debate in last Session and like I would encourage anyone, I just simply encourage you to file a Bill that would eliminate it and give it an opportunity..."

Leitch: "Well, Mr. Harris has. Mr. Harris has and he's..."

Davis, W.: "Okay. Well, I don't control the Rules process."

Leitch: "...unfortunately he hasn't been able to get it out of Rules."

Davis, W.: "I don't control... I've got a Bill stuck in Rules, too, that I'd like to get out. So, I feel his pain in that respect."

Leitch: "Well, I guess... I guess you're even then."

Davis, W.: "I feel his pain. But let me just say to the previous Speakers that talked about eliminating that. As I've had an opportunity to kind of understand the function of this board a little bit, if we eliminated this Bill, hospital development in the State of Illinois would run rampant. We have corp... large corporations building hospitals like crazy all over the State of Illinois. And the irony is that somebody will probably come back and say this is too much, maybe we should regulate this. Well, that's what this board is attempting to do right now is to regulate over vetting here in the State of Illinois, which is very well documented in terms of having way too many beds than there's a need exists for having too

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

many beds in the State of Illinois. And this board is a stopgap measure in trying to address that situation."

Leitch: "Well, I recognize that now only that's what the justification is being represented by this present board to be. It was the same for its predecessor and I'm just curious how many lobbyists have been in jail underneath the rationale that you just identified. This is an absolutely worthless board and one that we should have gotten rid of a long time ago instead of reformulating. And I hope one day I live long enough to see this, as Representative Franks said, die a quick and... death."

Speaker Lang: "Mr. Philips."

Phillips: "Sponsor yield?"

Speaker Lang: "Gentleman yields."

Phillips: "Sir, just one quick question. Does this board have anything to do with also approving Certificate of Needs for nursing homes?"

Davis, W.: "Yes, they do."

Phillips: "Yeah. I tried to file a Bill that would do away with the Certificate of Needs for nursing homes and it didn't get out of Rules. So, I was just curious. Thank you very much."

Davis, W.: "You're welcome."

Speaker Lang: "Mr. Arroyo."

Arroyo: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Arroyo: "Representative, I was reading a couple other things that I had on my desk and Franks said it was... Representative Franks said it was a terrible Bill so it caught my attention. Could you explain to me what this terrible Bill is trying to do?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

'Cause usually when another Legislator say it's a terrible Bill, we have to pay attention to it and see what it's really going to do. So..."

Davis, W.: "Well, I'm... I'm not sure. Well, unfortunately, you used his name in debate so I'm hesitant to say anything 'cause I'm sure he's going to want to speak again, but nevertheless..."

Arroyo: "Let's just forget him."

Davis, W.: "He just espoused his own opinion about this piece of legislation."

Arroyo: "I want to know if you're going to get my vote. I wasn't paying attention. I want you to explain to me why I should give you the vote for this. What is this doing?"

Davis, W.: "Would you like me to read this Bill?"

Arroyo: "Yes, Sir."

Davis, W.: "Okay. Very quickly then. House Bill 3133 codifies the practice of the Health Facilities Services and Review Board in accepting in-kind services to settle compliance matters. It also clarifies that the board.. that the format of the state board staff report rather than providing the forms. It also moves a provision passed in the General Assembly last year requiring board members to provide their rationale when voting on items before the... before them at the board meetings and specify that meeting transcripts become a part of the board's final decision. Furthermore, it clarifies that fines or sanctions apply to violations related to changes in ownership. It specifies that requests for an appearance before the board must be made within 30 days after receiving notice that a fine will be imposed. It adds that when a facility become compliant with the Act, the fines no longer

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

accrue. And further, it eliminates duplicative language regarding board members stating their rationales for their votes. Did that help you?"

Arroyo: "Yes. So you're trying to create a board that's going to oversee all of this stuff?"

Davis, W.: "No, the board is already created. This is not creating a new board. This board is in existence, has been in existence, and it oversees the CON process for medical beds here in the State of Illinois."

Arroyo: "So based on what you're telling me, it doesn't sound as terrible as the other person said it was?"

Davis, W.: "Well, again, I offered that Representatives and the other Representative and the other Representative were simply espousing their own opinions about the efficacy of this particular board."

Arroyo: "Thank you."

Speaker Lang: "Mr. Dav... Excuse me. Representative Jesiel."

Jesiel: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Jesiel: "I'm just looking at the detail in our analysis and what it says is that this Bill establishes no new facilities except in connection with the relocation of an existing facility. And it also says the same thing about beds. So, I'm wonder... I just was looking for an explanation is that limiting any new access or is that removed in the Amendment or what's the deal with that?"

Davis, W.: "Okay. I'm sorry. I missed some of what you're saying. Could you restate your question for me again, please?"

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Jesiel: "Sure. This is the provision that state they establish no new facilities under this specialized mental health rehabilitation Act except in connection with the relocation of an existing facility to a new location. It sounds like there wouldn't be any permissive new locations if any more beds were needed. And it same... says the same thing underneath with regards to beds. So, I'm just wondering if you could clarify that?"

Davis, W.: "Okay. It's my understanding that that is technical and cleanup language requested by the Legislative Research Bureau and it's reflective of what they asked for."

Jesiel: "Thank you, Mr. chair... Sponsor."

Speaker Lang: "Mr. Davis to close."

Davis, W.: "Thank you, Mr. Speaker. Again, I appreciate all the comments about this particular Bill. And no this Bill does not eliminate this particular board even though that's what some Members would have it to do. But I would argue that under the current situation or the processes by which hospitals come into the State of Illinois that this process by this board is a good process. It creates oversaturation and over-bedding in regards to hospital beds, as well as other medical beds here in the State of Illinois. So it's a good... it's a good board. It's a good process. If Members have trouble with the manner in which the board operates, then let's work to try to clean and make the process more efficient, make it better here for the State of Illinois. But again, this particular Bill is not an attempt to eliminate that particular board. It's simply to provide some cleanup language as it relates to codifying some of the things that it's supposed

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

to. In addition to, it adds some language requested by the Illinois Hospital Association, which removes their opposition to it. I ask for a 'yes' vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Batinick, Bryant, Harris. Please take the record. On this question, there are 92 voting 'yes', 18 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair notes that Mr. Martwick has returned. Sir, you have two Bills on the Order of Second Reading. House Bill 3512. Do you wish to proceed on that, Sir? Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3512, a Bill for an Act concerning civil law. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative Martwick."

Speaker Lang: "Mr. Martwick."

Martwick: "Thank you, Mr. Speaker. Floor Amendment 1 is purely technical in nature. It corrects drafting errors. I ask for its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2916, Mr. Martwick. Please read the Bill."

Clerk Bolin: "House Bill 2916, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Martwick."

Speaker Lang: "Mr. Martwick."

Martwick: "Thank you, Mr. Speaker. Floor Amendment #2 was offered by the Commission on Government Forecasting and Accountability. It regard.. it relates to their requirements under the CBA... PSEBA, reporting requirements. It makes some changes to that to allow them to do more accurate reporting on these pension matters. I move for its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Returning to Representative Monique Davis. House Bill 2543. Please read the Bill."

Clerk Bolin: "House Bill 2543, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 2543 amends the Children and Family Services Act. And it asks that any time a child is being placed with the Department of Children and Family Services they will make sure or check and make sure a family member, an adult, or grandparent or other relative are given first option for getting that child. And we just ask for a favorable vote. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. Andrade, Evans, Lilly, Mussman, Riley.

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Mussman. Please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3549, Representative Fine. Please read the Bill. Out of the record. House Bill 4115, Representative Jesiel. Please read the Bill."

Clerk Bolin: "House Bill 4115, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lang: "Representative Jesiel."

Jesiel: "Thank you, Mr. Speaker. This Bill would amend the Motor Fuel Sales Tax Act. Currently, the DHS is required to post a list of the gas and service stations on its website. However, the DHS has to obtain all of this information from the Department of Agriculture in order to post the list. This Bill would allow the DHS to simply provide a link to the Department of Agriculture rather than compiling the information themselves. And I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Demmer, Drury, Meyer. Mr. Demmer. Please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1119, Mr. Ford. Please read the Bill."

Clerk Bolin: "House Bill 1119, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Ford."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 1119 is a collaboration between two branches of government and two levels of government, Cook County and the State of Illinois. It's also a bipartisan Bill and what it does... it... we've taken this up because the Cook County Board of Commissions urges the General Assembly to pass legislation to cap the fees collected on bail bonds deposited with the Clerk of the Circuit Court. This Bill was brought to me by one of the commissioners and it's also one of our former Members, John Fritchey. I'm happy to work with him on this. And what it does is, it caps the fee collected on bail bonds deposited by the Clerk of the Circuit Clerk of Cook County only. And it puts a limit of \$100 regardless to the amount of bond being collected. The amount that may be retained cannot exceed \$100. The Bill's effective date will be January 1, 2016. And that's the nature of the Bill and the full intent. I want to thank the Leader Sandack for helping with this initiative, as well. I move for an 'aye' vote."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. To the Bill, please. I'm happy to stand with Representative Ford on a good piece of legislation. As the law currently exists in Cook County, people that are innocent, that are not convicted can't get portions of their bail money back to them. That makes no sense. The fact of the matter is those who have to make bond and bail that are deemed innocent or acquitted are the ones that need the money the most, in more instances. This is a good piece of legislation. I ask that all support it. Thank you, Mr. Speaker."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Ford. Thank you, Sir. It's a good Bill. You want to vote for it. Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4008, Mr. Hoffman. Please read the Bill. Mr. Hoffman, we understand you have an Amendment on the Bill. There's a Floor Amendment on the Bill, Sir. Is that your Amendment? Let's move this to the Order of Second Reading, Mr. Clerk, and read the Bill."

Clerk Bolin: "House Bill 4008, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative Hoffman."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Yes, I apologize. I thought this was adopted. This is cleanup by the EPA for the Bill."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Chair recognizes Representative Gordon-Booth on a point of personal privilege."

Gordon-Booth: "Thank you, Mr. Speaker. Last Friday, I was not here because I, with my husband and the rest of my family, attended the sentencing of the gentleman that murdered our son last year. As many of you will remember, last May... May

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

24th, my stepson was murdered in the City of Peoria and he was 22 years old. His name was Derrick Booth, Jr. And from the bottom of my heart, I want to extend a very gracious thank you to all of you in this chamber who have kept me in your prayers, who have checked on me, and checked on my family throughout this difficult season. The gentleman that murdered my son, I've known him most of my life. My husband knew him most of his life. My husband did prison ministry with his parents. My brother used to be engaged to the sister of the gentleman who murdered my son. As a matter of fact, the gentleman who murdered my son didn't even know him. But nevertheless, at a party on a Friday night, he shot my son one time in the chest and took his life at 22 years old. And I think about this process quite often as we've gone through what it means for a family to, one, lose a loved one, but then go through the judicial process and watch another family come in and have to watch their loved one be sentenced to essentially live the remainder of their life in a facility within the Department of Corrections. And there are no good outcomes. The fact that his name was Sean Walls. The fact that Sean Walls was sentenced to 50 years in prison. There was a sense that, yes, there was a gentleman off the streets in the City of Peoria who was willing to take someone else's life. But it also made me think about the decisions that I make as a Legislator, who I am as a community member, and who I am as a mother and as a parent. And I would just simply suggest that as we move forward in the process, all of the things that we do down here do affect so many people in so many ways. And I am not, absolutely not suggesting that

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

there's a program in the world that would have turned... that would have created a different outcome for that situation, but I do know as I've walked through this entire process and really starting to actually have the opportunity to start grieving because when you are going through the judicial process and you're wanting justice for your family member, you really don't have the opportunity to truly grieve because it's... you just don't. But again, I would dare say that so many of the things that we do in this Body have such a dramatic impact on so many families, much more so than I ever knew. And so, I'd like to say that there's so many young men across this state that we are losing because their lives are being cut short to murder. They're losing their lives in the Department of Corrections or simply they just aren't productive. And I would dare say that having gone through this process has definitely given me a different level of passion and a different level of urgency to try to create some different opportunities for some... for so many of the people in our state. So, thank you, again, for your graciousness and your prayers because they actually have helped. Thank you very much."

Speaker Lang: "Thank you, Representative. You may sit, Members.
Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 383, offered by Representative Hays. House Resolution 384, offered by Representative Anthony. House Resolution 386, offered by Representative McAuliffe. House Resolution 387, offered by Representative Bradley. House Resolution 388, offered by Representative Durkin."

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Speaker Lang: "Leader Riley moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet immediately upon adjournment: the Cities & Villages Committee will meet in Room 122, the Environment Committee will meet in Room 413, the Labor & Commerce Committee will meet in Room 114, the Executive Committee will meet in Room 118, the Judiciary-Criminal Law Committee will meet in Room D-1, the Business & Occupational Licenses Committee will meet in Room C-1, and the Elementary & Secondary Education: Licensing Oversight Committee will meet in Room 115. The following committees will meet one half hour upon... one half hour after adjournment: the Elementary & Secondary Education: Charter School Policy Committee will meet in Room 114, the Energy Committee will meet in Room 122, the Health care Licenses Committee will meet in Room 115, the Museums, Arts, & Cultural Enhancement Committee will meet in Room C-1, and the Human Services Committee will meet in Room 413."

Speaker Lang: "And now, leaving Perfunctory time for the Clerk, Leader Mautino moves that the House stand adjourned 'til Tuesday, April 21 at the hour of 12:30 p.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Tuesday, April 21 at 12:30 p.m."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction of First Reading Senate Bills. Senate Bill 1308, offered by Representative Gordon-Booth, a Bill for an Act concerning civil law. Senate Bill 1781, offered by

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

Representative Kay, a Bill for an Act concerning insurance. Senate Bill 1782, offered by Representative Kay, a Bill for an Act concerning insurance. First Reading of these Senate Bills. Introduction of Resolutions. House Resolution 385, offered by Representative Bellock. House Resolution 389, offered by Representative Unes. These were referred to the Rules Committee. Committee Reports. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on April 20, 2015: do pass as amended Standard Debate is House Bill 173; recommends be adopted is Floor Amendment #1 to House Bill 3444. Representative Verschoore, Chairperson from the Committee on Environment reports the following committee action taken on April 20, 2015: recommends be adopted is House Resolution 269, House Resolution 319. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on April 20, 2015: recommends be adopted is House Resolution 201, House Resolution 273, House Resolution 304. Representative Daniel Burke, Chairperson from the Committee on Executive reports the following committee action taken on April 20, 2015: do pass Short Debate is House Bill 4029; recommends be adopted is Floor Amendment #1 to House Bill 573, Floor Amendment #2 to House Bill 4011; recommends be adopted as amended is House Resolution 173. Representative Sims, Chairperson from the Committee on Judiciary-Criminal reports the following committee action taken on April 20, 2015: recommends be adopted is Floor Amendment #2 to House Bill 3588, Floor Amendment #1 to House Bill 3988, and House Joint Resolution

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

4/20/2015

53. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on April 20, 2015: recommends be adopted is House Resolution 234. Representative Chapa LaVia, Chairperson from the Committee on Energy reports the following committee action taken on April 20, 2015: recommends be adopted is Floor Amendment #1 to House Bill 3766, House Resolution 189, House Resolution 243. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on April 20, 2015: recommends be adopted is Floor Amendment #2 to House Bill 1359, Floor Amendment #2 to House Bill 3271, House Resolution 204. Representative Lilly, Chairperson from the Committee on Museums, Arts, & Cultural Enhancement reports the following committee action taken on April 20, 2015: recommends be adopted is House Resolution 271. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on April 20, 2015: recommends be adopted is Floor Amendment #2 to House Bill 3510, Floor Amendment #2 to House Bill 4120, House Resolution 170, House Resolution 175, House Resolution 184, House Resolution 213, House Resolution 214, House Resolution 231, House Resolution 232, House Resolution 254, House Resolution 284, House Resolution 314. There being no further business, the House Perfunctory Session will stand adjourned."